



# *The Calendar* of the *House of Representatives*

Speaker Allan G. Bense

Speaker pro tempore Leslie Waters

Week 9 –Day 58

Wednesday, May 3, 2006

**The House will convene on Wednesday, May 3, 2006 at 9:00 AM**

These are the times reserved for committee meetings, but committees do not necessarily meet. See detailed meeting notices.

<i>Monday</i> <i>Day 56</i> <i>May 1, 2006</i>	<i>Tuesday</i> <i>Day 57</i> <i>May 2, 2006</i>	<i>Wednesday</i> <i>Day 58</i> <i>May 3, 2006</i>	<i>Thursday</i> <i>Day 59</i> <i>May 4, 2006</i>	<i>Friday</i> <i>Day 60</i> <i>May 5, 2006</i>
Meeting Notice Due April 28, 2006	Meeting Notice Due May 1, 2006	Meeting Notice Due May 2, 2006	Meeting Notice Due May 3, 2006	Meeting Notice Due May 4, 2006
	10:00 – 5:00 SESSION	9:00 – 5:00 SESSION	9:00 – 5:00 SESSION	TBA SESSION
11:30 – 5:00 SESSION				
5:15 or AT THE CALL OF THE CHAIR Group F Rules & Calendar Council 404H	5:45 or AT THE CALL OF THE CHAIR Group F Rules & Calendar Council 404H			
				SINE DIE  2 <sup>nd</sup> AMENDED

## IMPORTANT LEGISLATIVE DATES

### 2006

April 16	Bill(s) may no longer be retained for purpose of reconsideration.	41 <sup>st</sup> Day [Rule 7.13(b)]
April 20	Last day for councils, committees, or subcommittees to meet after giving 2 days (excluding Saturday and Sunday) notice on bills (at least 1 day notice thereafter).	45 <sup>th</sup> Day [Rule 7.10(a)]
April 20	Last day on which councils, committee, or subcommittee amendments shall be filed by 5 p.m., 1 day (excluding Saturday and Sunday) in advance of council, committee, or subcommittee meeting by nonappointed members (2 hours thereafter).	45 <sup>th</sup> Day [Rule 7.22(c)]
April 20	After the 45 <sup>th</sup> day of a regular session, by a majority vote, the House may, on motion of the Chair or Vice Chair of the Rules & Calendar Council, move to Communications, Messages from the Senate, Bills and Joint Resolutions on Third Reading, or Special Orders.	45 <sup>th</sup> Day [Rule 10.2(d)]
April 22	All bills transmitted to the Senate forthwith	Last 14 Days [Rule 11.7(j)]
April 25	Last day the Chair of any conference committee shall give notice at least 2 hours prior to meeting; after the 50th day 1 hour notice of intention to meet.	50 <sup>th</sup> Day [Rule 7.24(b)]
April 30	Last day that main floor amendments must be approved for filing with the Clerk by 2 p.m. of the first day a bill appears on the Special Order Calendar in the Calendar of the House; and amendments to main floor amendments and substitute amendments for main floor amendments must be approved for filing by 5 p.m. of the same day.	55 <sup>th</sup> Day [Rule 12.2(a)(1&2)]
April 30	Last day of the regular session for the Special Order Calendar to be published in two Calendars of the House and maybe taken up on the day of the second published Calendar. After the 55 <sup>th</sup> day of the regular session, the Special Order Calendar shall be published in one Calendar of the House and may be taken up on the day the Calendar is published.	55 <sup>th</sup> Day [Rule 10.11(a) (3)]
May 1	A Senate bill may be referred by the Speaker to a council or to a committee and its council and such other committees as are deemed appropriate, after the 55 <sup>th</sup> day of a session.	56 <sup>th</sup> Day [Rule 6.3 (h)]
May 1	After the 55 <sup>th</sup> day of regular session no House bills on second reading may be taken up and considered by the House.	56 <sup>th</sup> Day [Rule 10.17]
May 1	After the 55 <sup>th</sup> day of regular session main floor amendments must be approved for filing with the Clerk not later than 2 hours before session is scheduled to convene on the day a bill appears on the Special Order Calendar in the Calendar of the House; and amendments to main floor amendments and substitute amendments must be approved for filing not later than 1 hour after the main floor amendment deadline.	56 <sup>th</sup> Day [Rule 12.2(b) (1&2)]
May 3	After the 58 <sup>th</sup> calendar day of regular session, the House may consider only: Senate Messages, Conference Reports, Concurrent Resolutions.	Last 2 Days [Rule 10.18]
<b>May 5</b>	<b>Last day of Regular Session, if Legislature completes work in 60 days</b>	

Assistive Listening Devices (ALDs) are provided in all House of Representatives meeting facilities. Persons with hearing disabilities may call the Property & Inventory Division of the Sergeant at Arms Office, 488-0235, for an auxiliary transmitting device if one is needed.

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1. Call to Order
2. Prayer
3. Roll Call
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5. Correction of the Journal
6. Communications
7. Messages from the Senate
8. Reports of Councils and Standing Committees
9. Reports of Select Committees
10. Motions Relating to Council and Committee References
11. Matters on Reconsideration
12. Bills and Joint Resolutions on Third Reading

BILLS AND JOINT RESOLUTIONS ON THIRD READING

**HB 1171** by Rivera, Allen, Arza, Attkisson, Bogdanoff, Bowen, Cannon, Clarke, Cretul, Davis, D., Davis, M., Flores, Goldstein, Grant, Harrell, Hasner, Hays, Kravitz, Kreegel, Llorente, Lopez-Cantera, Murzin, Planas, Sansom, Stargel, Troutman, Waters, Williams, Zapata (Similar SB 2434)

**Travel to Terrorist States;** Prohibits the use of funds from the Community College Program Fund, or funds made available to community colleges from outside the fund, to implement, organize, direct, coordinate, or administer activities related to or involving travel to a terrorist state; prohibits the use of state or nonstate funds made available to state universities to implement, organize, direct, coordinate, or administer activities related to or involving travel to a terrorist state; provides that travel expenses of public officers or employees for the purpose of implementing, organizing, directing, coordinating, or administering activities related to or involving travel to a terrorist state shall not be allowed under any circumstances; defines "terrorist state." Effective Date: July 1, 2006.

Read second time April 26

**SB 2434** by Haridopolos (Similar HB 1171)

**Travel To Terrorist States;** prohibits use of funds from Community College Program Fund, or funds made available to community colleges from outside fund, to implement, organize, direct, coordinate, or administer activities related to or involving

travel to terrorist state; prohibits use of state or nonstate funds made available to state universities to implement, organize, or direct activities related to or involving travel to terrorist state, etc. Amends 1011.81,.90, 112.061. Effective Date: 07/01/2006

Read second time May 2

**HB 817** by Murzin, Farkas, Hasner, Legg, Littlefield (Compare HB 1191 CS, CS/CS/SB 142, CS/SB 1544)

**Telecommunications Services;** Provides that a local exchange telecommunications company obligated to serve as the carrier of last resort is not obligated to provide basic local telecommunications service to customers in a multitenant business or residential property; requires the local exchange telecommunications company to notify the Public Service Commission when it is relieved of the obligation to provide service; provides for the local exchange telecommunications company to request a waiver of its carrier of last resort obligation from the commission; provides for carrier of last resort obligation to apply when specified conditions cease to exist; allows certain local exchange telecommunications companies to publish terms, conditions, and rates for nonbasic services in lieu of maintaining tariffs; provides for guidelines for the publication; revises the notice requirement for price changes to nonbasic services; removes a provision that allows a company to elect that its basic services be subject to the same regulatory treatment as its nonbasic services; provides for a request from a

company to the commission to make certain reductions in its retail service quality requirements; revises criteria for granting a petition to change regulatory treatment of retail services. Effective Date: July 1, 2006.

Read second time and amended April 27

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**HB 431 by Littlefield, Hasner, Murzin** (Similar CS/CS/SB 980)

**Electric Transmission and Distribution;** Provides criteria and procedures relating to approval by local governments of applications for installation of electric substations; provides requirements relating to vegetation-maintenance activities by an electric utility; requires electric utilities to notify the regional planning council of plans to site electric substations; requires electric substation siting information be included in the regional planning council's annual report and supplied to local governments under certain conditions. Effective Date: upon becoming a law.

Read second time April 28

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**CS for CS for SB 980 by Communications and Public Utilities, Community Affairs, Alexander** (Similar HB 431)

**Electric Transmission & Distribution;** defines term "distribution electric substation"; provides criteria for adoption & enforcement by local government of land development regulations for new electric substations; provides timeframe & procedures for local government to approve or deny application for electric substation; provides for supervision of vegetation maintenance & tree pruning or trimming activities, etc. Creates 163.3208, .3209, 186.0201; amends 186.513. Effective Date: Upon becoming law

Read second time May 2

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**HB 7167 by Growth Management Committee, Johnson**  
(Compare HB 1485 CS, HB 7253, CS/CS/SB 1858, CS/SB 2480)

**Growth Management;** Revises a definition; provides a requirement on the makeup of the Century Commission for a Sustainable Florida; deletes an annual appropriation from the State Transportation Trust Fund for State Infrastructure Bank purposes; revises provisions relating to sources of appropriations to the Public Education Capital Outlay and Debt Service Trust Fund to delete an annual appropriation to the Classroom for Kids Program, etc. Effective Date: July 1, 2006.

Read second time and amended April 28

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**HB 1527 by Stargel, Ambler, Arza, Baxley, Traviesa, Troutman**

**Parental Notification of Termination of a Minor's Pregnancy;** Provides procedural requirements for actual notice given by telephone; provides procedural requirements for certain waivers of notice; revises the procedures for judicial waiver of notice; revises evidentiary standards for a court determining judicial waiver of notice; provides factors with which a court determines whether a minor is sufficiently mature; revises the best interest standard; requires the Supreme Court to include in reports reasons for judicial

waiver of notice; provides for the application of mandatory child abuse reporting provisions. Effective Date: July 1, 2006.

Read second time April 28

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**HB 675 by Pickens** (Similar CS/SB 1190)

**Sale or Lease of a County, District, or Municipal Hospital;** Provides conditions under which the sale of a public hospital by a public agency to a private corporation or other private entity is considered a complete sale of the public agency's interest in the hospital; provides construction; provides legislative findings; provides applicability. Effective Date: upon becoming a law

Read second time and amended April 28

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**HB 1199 by Traviesa, Ambler, Barreiro, Baxley, Bowen, Brown, Brutus, Bullard, Evers, Galvano, Gibson, A., Gibson, H., Goldstein, Hays, Holloway, Johnson, Kreegel, Legg, Littlefield, Machek, Mahon, Mayfield, McInvale, Meadows, Murzin, Patterson, Proctor, Rice, Rivera, Robaina, Ross, Stansel, Taylor** (Compare CS/SB 900)

**Statewide Cable Television Franchises;** Authorizes citation as the "Consumer Choice Act of 2006"; prohibits counties and municipalities from negotiating terms and conditions relating to cable services; deletes authorization to negotiate; revises application to existing ordinances and franchise agreements; deletes authorization for counties and municipalities to award cable service franchises and a restriction that cable service companies not operate without such a franchise; requires state authorization to provide cable services and competitive video programming services; provides requirements and procedures; provides for fees; provides duties and responsibilities of the Department of State; provides application procedures and requirements; provides for issuing certificates of franchise authority; provides eligibility requirements and criteria for a certificate; authorizes the department to adopt rules; provides for an application form; provides for fees; prohibits the department from imposing taxes, fees, or charges on a cable service provider to issue a certificate; prohibits imposing buildout requirements on a certificateholder; requires certificateholders to make cable service available at specified public building; imposes customer service requirements on certificateholders; requires the Department of Agriculture and Consumer Services to receive customer service complaints; requires provision of public, educational, and governmental access channels or capacity equivalent; provides criteria, requirements, and procedures; provides exceptions; provides responsibilities of municipalities and counties relating to such channels; provides for enforcement; requires certificateholders to pay a portion of monthly revenues to municipalities or counties for a specified period of time; provides for continuing such payments pursuant to local government approval; authorizes continued payments to be itemized; provides criteria for such payments; provides requirements for and limitations on counties and municipalities relating to access to public right-of-way; prohibits counties and municipalities from imposing additional requirements on certificateholders; authorizes counties and municipalities to require permits of certificateholders relating to public right-of-way; provides permit criteria and requirements; prohibits discrimination between cable service subscribers; provides for enforcement; provides for determinations of violations; provides for enforcement of compliance by certificateholders; provides for applicability of other laws; requires the Office of Program Policy Analysis and Government Accountability to report to the Legislature on the status of competition in the

cable service industry; provides severability; repeals provisions relating to definitions and minimum standards for cable television franchises imposed upon counties and municipalities. Effective Date: July 1, 2006.

Read second time April 28

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**HB 7253 by Growth Management Committee, Johnson**  
(Compare HB 683, HB 7077 CS, HB 7167, CS/CS/SB 1020, CS/CS/SB 1858)

**Growth Management;** Specifies limitations on challenges to certain changes in a 5-year schedule of capital improvements; requires local governments and the Department of Transportation to establish a plan for maintaining certain level-of-service standards; provides requirements for the waiver for such built-out municipalities; provides a requirement on the makeup of the Century Commission for a Sustainable Florida; requires the Department of Transportation to conduct a study of per-trip fees on certain transportation facilities for certain purposes, etc. Effective Date: July 1, 2006.

Read second time and amended April 28

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**HB 7117 by Criminal Justice Committee, Kravitz, Dean, Allen, Harrell, Murzin, Traviesa** (Compare CS/CS/CS/SB 2280, SB 2512)

**Sexual Predators and Offenders;** Requires distinctive markings for driver's licenses and identification cards issued to persons who are designated as sexual predators or subject to registration as sexual offenders; provides procedures for offenders to obtain such licenses or identification cards; provides for initial issuance; prohibits the alteration of sexual predator or sexual offender markings on driver's licenses or identification cards; provides criminal penalties; requires sexual predators and sexual offenders to obtain a distinctive driver's license or identification card; requires specified offenders who are under the supervision of the Department of Corrections but are not incarcerated to obtain a distinctive driver's license or identification card; revises provisions relating to background screening of school district personnel; revises provisions relating to fingerprints; provides procedures for periodic rescreening of certain personnel; revises provisions relating to background screenings of certain noninstructional school district employees and other specified individuals; revises provisions relating to periodic rescreening of certain persons; provides definitions; prohibits contract workers who are designated as sexual predators, subject to registration as a sexual offenders, or who appear on the National Sex Offender Public Registry from being present on school grounds; provides criminal penalties; requires contract workers working on school grounds to be subject to a check of Florida driver's licenses or identification cards for the purposes of ascertaining their sexual offender and sexual predator status and checked against the National Sex Offender Public Registry; provides duties for certain contract workers; provides penalties; requires certain individuals to report certain offenses; provides penalties; provides exceptions; provides that no provision of a specified section shall give rise to private civil liability or create a private cause of action for monetary damages; provides rulemaking authority to school boards; revises provisions relating to background screening for educator certification; revises

provisions relating to periodic rescreening of such persons; provides an appropriation. Effective Date: July 1, 2006.

Read second time and amended April 28

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**CS for SB 122 by Education Appropriations, Fasano, Lynn, Atwater** (Similar HB 373 CS)

**Tuition Waivers/Purple Heart;** requires state universities & community colleges to waive tuition for recipient of Purple Heart or other combat decoration superior in precedence who fulfills specified criteria; provides percentage cap on number of required credit hours for which tuition waiver may be received. Amends 1009.26. Effective Date: 07/01/2006

Read second time May 2

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**CS for CS for SB 250 by Justice Appropriations, Judiciary, Margolis, King, Smith, Rich, Campbell, Saunders, Haridopoulos, Aronberg, Wilson, Crist** (Similar HB 469 CS)

**Prosecution of Human Trafficking;** defines term "financial harm"; redefines term "forced labor or services" to include circumstances involving use of fraud or coercion against person, use of certain debt practices, & destruction, concealing, or withholding of person's ID documents; expands definition of term "criminal activity" to include offense of human & sex trafficking for purposes of seeking civil remedies for criminal offenses, etc. Amends FS. Effective Date: 10/01/2006

Read second time and amended May 2

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**SB 266 by Fasano** (Similar HB 569 CS)

**Athletic Trainers/Licensure;** revises requirements for licensure as athletic trainer; provides that person employed as apprentice trainer or athletic trainer is not exempt from specified provisions; deletes classification of first responder in school district's athletic injuries prevention & treatment program; requires that athletic trainer employed by school district be licensed as athletic trainer, etc. Amends 468.707,.711,.723, 1012.46. Effective Date: Upon becoming law

Read second time May 2

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**SB 692 by Webster, Fasano, Wilson** (Similar HB 29 CS)

**Sales Tax/School Supplies & Clothing;** specifies period during which sale of books, clothing, & school supplies is exempt from tax on sales, use, & other transactions; provides definitions; provides exceptions; authorizes DOR to adopt rules. Effective Date: 07/01/2006

Read second time May 2

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**SB 704 by Alexander** (Identical HB 361 CS)

**ATM Transaction Charges;** authorizes operator of automated teller machine to charge access fee or surcharge for transactions using accounts from certain financial institutions. Creates 655.966. Effective Date: 07/01/2006

Read second time May 2

**CS for SB 1086 & 1604 by Governmental Oversight and Productivity, Jones, Lawson, Campbell, Aronberg** (Identical HB 19 CS, Compare HB 639, HB 741 CS, HB 769 CS, HB 873, CS/SB 876, SB 1348, SB 1604, SB 1606, CS/SB 1616, SB 1636, SB 1764)

**Building Designations;** (THIS BILL COMBINES S1086 & S1604) designates building located at Univ. of South Florida St. Petersburg as "H. William Heller Hall"; designates building in Lee Co. as Joseph P. D'Alessandro Office Complex; designates John M. McKay Visitors Pavilion at John & Mabel Ringling Museum of Art at Florida State Univ. Center for Cultural Arts; designates Multipurpose Classroom Building Number 46 at University of North Florida as "Hodges Stadium", etc. Effective Date: 07/01/2006 except as otherwise provided

Read second time May 2

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**SB 1282 by Carlton, Bullard, Bennett, Baker, Diaz de la Portilla, Constantine, Fasano, Webster, King, Posey, Haridopolos** (Similar HB 7039)

**K-8 Virtual School Program;** establishes said program within DOE; authorizes participating schools to be for-profit or nonprofit entities; requires that instructional personnel have Florida teaching certificates; requires education plans to conform to Sunshine State Standards; requires school applicants to provide 3-year financial plan; requires participating schools to provide each student with equipment, materials, & services necessary to receive instruction, etc. Effective Date: Upon becoming law

Read second time May 2

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**CS for CS for SB 1322 by Criminal Justice, Regulated Industries, King, Klein, Wise** (Similar HB 1049 CS)

**Driver's License Penalties/Alcohol;** provides additional penalty for providing alcoholic beverages to person under age of 21; authorizes court to withhold issuance of, or suspend or revoke, driver's license of certain persons who provide alcoholic beverages to persons under age of 21. Amends 562.11; creates 322.057. Effective Date: 10/01/2006

Read second time May 2

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**CS for SB 1506 by Banking and Insurance, Alexander** (Similar HB 1329 CS)

**Insurance/Electronic Statements;** amends specified provisions re viatical settlement providers, premium finance companies, & continuing care providers to authorize Financial Services Commission to require by rule that certain statements or filings be submitted by electronic means in certain format; authorizes Office of Insurance Regulation to require that certain records or copies be submitted by remote electronic access. Amends 626.9913, 99175, 627.836, 628.281, 651.026, 0261. Effective Date: Upon becoming law

Read second time and amended May 2

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**CS for SB 1540 by Regulated Industries, Baker** (Similar HB 1397, Compare HB 685 CS, CS/CS/SB 926)

**Veterinary Drug Distribution;** provides that drug is adulterated if it is certain prescription drug that has been returned by veterinarian to limited prescription drug veterinary wholesaler; requires said wholesaler to obtain permit for operation from DOH; provides that permit for said wholesaler may not be issued to address of certain health care entities; requires dept. to inspect each said wholesaler establishment, etc. Amends Ch. 499. Effective Date: 07/01/2006

Read second time May 2

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**CS for CS for SB 1556 by Judiciary, Regulated Industries, Geller** (Similar HB 543 CS)

**Condominiums;** substantially revises provisions re termination of condominium form of ownership of property; provides grounds for termination; waives certain notice requirements following natural disasters; provides requirements for plan of termination; provides procedure for contesting plan of termination; provides rules for distribution of property & sale proceeds; allows creation of another condominium by trustee, etc. Amends 718.117. Effective Date: 07/01/2006

Read second time May 2

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**CS for CS for SB 2060 by Community Affairs, Regulated Industries, Clary** (Similar HB 1135 CS, HB 1611, Compare SB 2652)

**Architecture & Interior Design;** defines term "responsible supervising control"; authorizes Board of Architecture & Interior Design to adopt certain rules; authorizes certain architects to use title "Architect, Retired"; authorizes certain interior designers to use title "Interior Designer, Retired". Amends 481.203, 205, 223. Effective Date: 07/01/2006

Read second time May 2

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**CS for CS for SB 994 by General Government Appropriations, Agriculture, Alexander, Bullard, Posey** (Compare HB 7159 CS)

**Citrus Canker;** provides that certain lands are classified as agricultural lands for duration of certain successor programs; requires DOACS to implement citrus health plan for certain purposes; makes it unlawful to propagate certain citrus nursery stock on or after January 1, 2007, at sites & under certain conditions not approved by DOACS; authorizes department to submit budget amendment & provides requirements therefor, etc. Amends FS. Effective Date: 07/01/2006

Read second time May 2

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**CS for CS for SB 2728 by Transportation and Economic Development Appropriations, Commerce and Consumer Services, Fasano, Lynn** (Compare HB 1283 CS, HB 1285, HB 7213)

**Innovation Incentive Program;** expands definition of qualified project for Capital Investment Tax Credit; provides additional requirements for Enterprise Florida, Inc., in evaluating proposed projects; creates Innovation Incentive Program with Tourism,

Trade, & Economic Development Office for certain purposes; requires Enterprise Fla., Inc. to assist office in validating certain business performances, etc. Amends 220.191, 288.1088, 403.973; creates 288.1089. Effective Date: 07/01/2006

Read second time and amended May 2

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**CS for CS for SB 80 by Commerce and Consumer Services, Communications and Public Utilities, Aronberg, Lynn** (Similar HB 45 CS, Compare HB 7157)

**Electronic Mail;** requires certain governmental entities to post notice on their websites that electronic mail addresses sent to them are subject to release to public; provides that remedies & penalties under Electronic Mail Communications Act are cumulative; creates "Anti-Phishing Act"; prohibits certain acts re fraudulent use or possession of identifying information; authorizes Legal Affairs Dept. to adopt rules, etc. Amends Ch. 668; creates 668.701-.705. Effective Date: 07/01/2006

Read second time May 2

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**SB 370 by Peaden** (Similar HB 747 CS)

**Speech-language Pathology/Audiology;** revises requirements for DOH in issuing provisional license to practice speech-language pathology or audiology; revises licensing requirements for applicants who graduated, or who are currently enrolled, in speech-language pathology or audiology program at university located outside of U.S. or Canada; revises requirements for person to be certified as audiology assistant, etc. Amends 468.1155,.1165,.1185,.1215. Effective Date: 07/01/2006

Read second time May 2

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**SB 152 by Saunders** (Identical HB 103 CS)

**Property Appraiser Assessments;** revises property appraisers' authority for inspecting real property for assessment purposes in addition to physical inspections; reduces required frequency of physical inspections. Amends 193.023. Effective Date: Upon becoming law

Read second time May 2

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**CS for SB 730 by Criminal Justice, Lynn, Aronberg, Crist** (Similar HB 367 CS, Compare SB 168)

**Jason A. Gucwa Act;** limits provision that exempts certain members of offender's family from being charged with offense of acting as accessory after fact to circumstances involving third-degree felony offenses; specifies additional actions that constitute being accessory after fact, for which penalties are provided. Amends 777.03. Effective Date: Upon becoming law

Read second time May 2

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**CS for CS for SB 428 by Ways and Means, Governmental Oversight and Productivity, Lawson, Smith, Fasano, Argenziano** (Similar HCB 6001 CS, Compare HB 477)

**Travel Expenses/Reimbursement;** revises per diem, subsistence, & mileage rates for purposes of reimbursement of travel expenses

of public officers, employees, & authorized persons. Amends 112.061. Effective Date: 07/01/2006

Read second time May 2

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**CS for SB 792 by Governmental Oversight and Productivity, Government Efficiency Appropriations** (Similar HB 7233 CS)

**DOR>Returns & Accounts Info./OGSR;** amends provision re exemption from public-records requirements for information contained in returns, accounts, or declarations received by DOR pursuant to Communications Services Tax Simplification provisions; makes organizational & grammatical changes; saves exemption from repeal under OGSR Act; deletes provisions that provide for repeal of exemption; conforms cross-references. Amends FS. Effective Date: 10/01/2006

Read second time May 2

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**CS for CS for SB 1090 by General Government Appropriations, Environmental Preservation, Baker** (Compare HB 1063 CS)

**Water Well Contractors;** authorizes licensed water well contractors to facilitate performance of additional work incidental to construction, repair, or abandonment of water well; requires DEP to include administrative fee in its license-renewal method prescribed by rule; provides exemptions from continuing education requirements for water well contractors on active military duty & their spouses, etc. Amends 373.323,.324,.333. Effective Date: 07/01/2006

Read second time May 2

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**CS for SB 1172 by Regulated Industries, Aronberg, Argenziano** (Similar HB 333 CS, HB 793)

**Dixie Cup Clary Local Control Act;** provides legislative findings & intent; creates pilot program that authorizes local governments to adopt ordinance establishing local exemption to certain provisions of general law & agency rules re public food service establishments in order to permit patrons' dogs at certain designated outdoor portions of such establishments; provides for implementation & enforcement procedures; provides for future review & repeal, etc. Creates 509.233. Effective Date: 07/01/2006

Read second time May 2

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**SB 1284 by Fasano, Argenziano, Crist** (Compare HB 7053 CS)

**Nursing Home Consumer Information;** authorizes AHCA to provide electronic access to inspection reports from nursing homes in lieu of sending copies of reports; requires AHCA to provide certain info. to consumers; decreases number of months for which reported info. must be provided to consumers; requires AHCA to publish Nursing Home Guide Watch List in Nursing Home Guide; requires that watch list include certain days when facility had conditional license, etc. Amends 400.191. Effective Date: 10/01/2006

Read second time and amended May 2

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**CS for SB 1350 by Transportation and Economic Development Appropriations, Sebesta** (Compare HB 1315 CS, HB 7077 CS)

**Dept. of Transportation;** revises matching requirements for revenue bonds issued for fixed-guideway transportation systems; amends notification requirements for construction contracts; revises requirements for surety bonds for certain construction projects; provides that toll agencies may enter into agreements to promote additional uses of electronic toll collection system, etc. Amends 215.615, 337.11, 14, 18, 338.161, 2275. Effective Date: 07/01/2006

Read second time and amended May 2

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**CS for SB 1716 by Ways and Means, Atwater** (Identical HB 7181 CS)

**State Planning & Budgeting;** revises membership of Legislative Budget Commission; provides for appointment of presiding officers; creates Government Efficiency Task Force for purpose of recommending improvements to governmental operations & cost reductions; requires that task force meet at 4-year intervals beginning on specified date; requires legislative appropriations committees to prescribe format of budget expenditure reports, etc. Amends Chs. 11, 216, 29.0095, 100.371. Effective Date: Contingent

Read second time May 2

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**CS for SB 2548 by Ways and Means, Carlton** (Compare HB 5003, HB 7077 CS, HB 7189 CS, SB 2702)

**State Financial Matters;** provides for moneys collected from sale of Florida Statutes or other publications to be deposited in specified trust fund; requires Chief Justice of Supreme Court to develop program monitoring plans; expands investment authority of state treasury; prescribes forms of payment that may be included in certain contracts involving State University System or Florida Community College System, etc. Amends FS. Effective Date: 07/01/2006 except as otherwise provided

Read second time May 2

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**CS for CS for SB 2518 by Ways and Means, Governmental Oversight and Productivity, Argenziano** (Similar HB 7185 CS, Compare HB 1235)

**Contractual Services/State Agency;** prohibits state agency from renewing or amending contract for outsourcing under certain conditions; requires that specified statement be included in procurements of commodities & services which prohibits contact between respondents & specified employees of executive & legislative branches; creates Fla. Efficient Govt. Act; defines "commercial activity" for purposes of provision authorizing release of social security numbers, etc. Amends FS. Effective Date: Upon becoming law

Read second time and amended May 2

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**CS for SB 2000 by Ethics and Elections, Posey** (Similar HB 493 CS, Compare CS/SB 1754)

**Ethics/Public Officers & Employees;** prohibits employees of state & its political subdivisions from participating in political campaign; prohibits certain disclosures or use by former public officer, agency employee, or local government attorney; clarifies that existing postemployment restrictions apply to certain agency employees; redefines term "expenditure" for purposes of provisions governing lobbying before Legislature, etc. Amends FS. Effective Date: 10/01/2006 except as otherwise provided

Read second time and amended May 2

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**SB 124 by Posey, Smith** (Identical HB 199)

**Sovereign Immunity/Law Enforcement;** provides that law enforcement agency is not liable for injury, death, or property damage effected or caused by person fleeing law enforcement officer under certain circumstances; provides for severability & application. Amends 768.28. Effective Date: Upon becoming law

Read second time May 2

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**CS for SB 460 by Transportation and Economic Development Appropriations, Wise, King** (Compare HB 385 CS)

**Specialty License Plates/Sales;** provides for proceeds from sale of Police Athletic League license plates to be distributed to State of Florida Association of Police Athletic/Activities Leagues, Inc.; authorizes use of portion of such fees for administrative & promotional cost; revises provisions governing distribution of proceeds from sale of motorcycle specialty license plates; revises amount & permissible uses of proceeds, etc. Amends 320.08058, 08068. Effective Date: 07/01/2006

Read second time May 2

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**CS for SB 1212 by Governmental Oversight and Productivity, Agriculture, Agriculture** (Identical HB 7209)

**Agriculture/OGSR;** amends provision re exemption from public-records requirements provided for individual agricultural records of processes, methods of production, & costs which are not otherwise public records & which are reported to DOACS; saves exemption from repeal under OGSR Act; deletes provisions providing for repeal of exemption. Amends 403.067. Effective Date: 10/01/2006

Read second time May 2

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**CS for CS for SB 1286 by Health Care, Children and Families, Lynn** (Similar HB 619 CS, Compare HB 7083 CS, SB 1850)

**Substance Abuse & Mental Health;** revises duties of Fla. Substance Abuse & Mental Health Corp.; requires corporation to ensure provision of services that promote recovery & resiliency-based systems of care; requires that certain members appointed to corporation be primary consumers of mental health or substance abuse services or family members of primary consumers of such



services; repeals s. 3 of ch. 2003-279, Laws of Florida, etc. Amends Ch. 394. Effective Date: Upon becoming law

Read second time May 2

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**CS for CS for SB 1450 by Transportation and Economic Development Appropriations, Transportation, Margolis** (Similar HB 963 CS)

**Donate Organs-Pass It On Plate;** creates said license plate; provides for distribution of annual use fees received from sale of such plates. Amends 320.08056,.08058. Effective Date: 07/01/2006

Read second time May 2

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**SB 1408 by Health Care** (Similar HB 7125 CS)

**Medical Records;** requires health care practitioner's employer who is records owner & records custodian to comply with specified requirements for confidentiality & disclosure; provides requirements for prescriptions of medicinal drugs by said practitioners which are electronically generated or transmitted; regulates electronic prescribing for said drugs; provides restrictions for electronic prescribing software, etc. Amends Ch. 456. Effective Date: 07/01/2006

Read second time May 2

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**CS for SB 1528 by Environmental Preservation, Environmental Preservation, Crist** (Compare HB 7133 CS)

**Environmental Protection;** clarifies who is liable for dumping under Florida Litter Law; deletes provisions re Keep Florida Beautiful, Inc.; places Adopt-a-Shore Program within DEP; authorizes DEP to initiate rulemaking re waste-to-energy facilities; provides for management & disposal of storm-generated debris; revises provisions re distribution of waste tire fees; authorizes DEP to issue order to abate certain hazards, etc. Amends Ch. 403, 320.08058. Effective Date: 07/01/2006

Read second time and amended May 2

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**CS for CS for SB 1080 by Judiciary, Children and Families, Children and Families** (Similar HB 7123 CS)

**Child Protective Services;** revises definitions re child protective services; authorizes DCFS to adopt rules for sharing information contained in child's case plan with custodian & family services counselor; requires dept. to conduct criminal history records check of any person being considered as prospective foster parent; provides that court may review granting or denial of placement of child based upon criminal offense, etc. Amends Chs. 39, 63, 419, 435. Effective Date: 07/01/2006

Read second time May 2

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**CS for SB 1590 by Government Efficiency Appropriations, Rich, Lynn** (Similar HB 987 CS)

**Sales Tax Collection Allowance;** authorizes dealer to elect to forego collection allowance & direct that said allowance be transferred to Educational Enhancement Trust Fund, to be distributed to school districts as specified; provides exceptions;

provides for rulemaking by DOR; provides for costs recovery; requires that DOR report collection information to DOE. Amends 212.12. Effective Date: 01/01/2007

Read second time May 2

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**CS for SB 1838 by Health Care, Haridopolos** (Similar HB 903 CS)

**Pharmacy Common Databases;** deletes provision authorizing certain community pharmacies to transfer prescriptions for Schedule II medicinal drugs under certain conditions; authorizes dispensing or refilling of prescription without transferred prescription under specified conditions. Amends 465.026; creates 465.0266. Effective Date: 07/01/2006

Read second time and amended May 2

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**CS for CS for SB 1774 by Regulated Industries, Community Affairs, Constantine** (Similar HB 1187 CS, Compare HB 1209, CS/CS/SB 1336, SB 2664)

**Building Codes;** authorizes Fla. Building Commission to update & modify standard for wind design; authorizes said commission to adopt certain limited amendments to Fla. Building Code pursuant to rule adoption procedures for certain purposes after triennial updates; provides for use of private providers of building code inspection services under certain circumstances; defines term "fire hydrant" for purpose of Fla. Fire Prevention Code, etc. Amends FS. Effective Date: 07/01/2006

Read second time May 2

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**SB 1948 by Smith, Dockery** (Similar HB 1621 CS)

**Coastal Property/Sale/Disclosures;** revises requirements for disclosures that must be provided by seller of coastal property to purchaser; provides that failure to deliver disclosure, affidavit, or survey does not create right of rescission or impair title to property. Amends 161.57. Effective Date: 07/01/2006

Read second time May 2

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**CS for CS for CS for SB 888 by Ways and Means, Environmental Preservation, Communications and Public Utilities, Constantine, Aronberg, Dockery, Atwater, Baker, Diaz de la Portilla, Bennett, Klein, Campbell, Bullard, Wilson** (Similar HB 1473 CS, Compare HB 347, HB 713, HB 1259, HB 1305, HB 1471 CS, SB 680, SB 762, SB 794, CS/SB 890, SB 2164, CS/SB 2478)

**Energy;** creates Fla. Energy Commission, which is located within Legislative Services Office for administrative purposes; creates "Fla. Renewable Energy Technologies & Energy Efficiency Act"; creates Energy Efficient Appliance Rebate Program; provides sales tax holiday for energy efficient products; creates Solar Energy System Incentives Program; authorizes DOR to share certain information with DEP for specified purposes, etc. Amends FS. Effective Date: Upon becoming law

Read second time and amended May 2

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**CS for CS for SB 214 by Justice Appropriations, Criminal Justice, Wise, King, Siplin** (Similar HB 303 CS, Compare SB 556, SB 560)

**Dart-Firing Stun Guns/Training & Use;** defines term "dart-firing stun gun" for purposes of provisions re weapons & firearms; provides circumstances during which law enforcement, correctional, & correctional probation officers may employ said gun; requires certain officers who have not received training in use of said stun-guns & who are authorized to carry said stun-guns to receive training; requires school resource or law enforcement officer to make certain reports, etc. Amends FS. Effective Date: Upon becoming law

Read second time and amended May 2

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**HB 335 by Culp, Jordan, Needelman** (Compare HB 5019, HB 7169, CS/SB 456)

**Juvenile Justice;** Authorizes disclosure of specified confidential juvenile records to private school principals; requires the arresting authority to provide notice to private school principals of specified juvenile offenders; permits a court to find a child in contempt of court for a violation of adjudication order conditions; creates a pilot program that authorizes specified courts to select commitment programs for juvenile delinquents, etc. Effective Date: July 1, 2006.

Read second time and amended May 2

### 13. Special Orders

#### SPECIAL ORDER CALENDAR FOR WEDNESDAY, MAY 03, 2006

(As Reported by the Rules and Calendar Council on Tuesday, May 02, 2006)

##### I. Consideration of the following bills:

**CS for SB 1190 by Community Affairs, Atwater** (Similar HB 675)

**Hospital/Sale or Lease;** provides for effect of sale of public hospital to private purchaser; provides conditions that must be met in order for sale to be considered complete sale; provides legislative findings & intent re effect of sale of public hospital to private purchaser; provides applicability, including retroactive applicability. Amends 155.40. Effective Date: Upon becoming law

Calendar without reference

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**CS for CS for CS for SB 2114 by Judiciary, Health Care, Banking and Insurance, Banking and Insurance** (Compare HB 533, HB 561, HB 7263 CS, SB 1124, CS/SB 1596)

**Motor Vehicle Insurance;** specifies information to be included in crash report; provides additional circumstance re insurance crimes for mandatory revocation of person's driver's license; prohibits scheming to create documentation of motor vehicle crash that did not occur; provides criminal penalty; abrogates repeal of provisions pertaining to Fla. Motor Vehicle No-Fault Law, etc. Amends 316.068, 322.26, 817.234, 2361. Effective Date: 10/01/2006

Calendar without reference

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**HB 7263 CS by Insurance Committee, Ross, Arza** (Compare HB 533, HB 561, SB 1124, CS/SB 1596, CS/CS/CS/SB 2114)

**Motor Vehicle Insurance;** Requires motorcycle registrants to provide proof of security; provides specific requirements for reinstatement of a motorcycle license and registration; provides for reinstatement fees; requires proof of security for application of a motorcycle registration; requires owners and registrants of motorcycles to maintain specified security; requires medical payments and property damage coverage; authorizes alternative types of security; authorizes deductibles and applicability of the deductibles; makes an owner or registrant personally responsible for

failure to maintain the required security; authorizes the Department of Highway Safety and Motor Vehicles to adopt rules; specifies minimum and maximum motor vehicle insurance premium discounts available under specified circumstances; requires the Department of Highway Safety and Motor Vehicles to require specified motor vehicle insurance policyholders to pass a written test for specified purposes; revises provisions relating to insurer requests for patient diagnostic or treatment information in disputes; provides for specified damages and attorney's fees in cases involving unfair trade practices by insurers; requires investigations by the Office of Insurance Regulation; provides for availability of additional personal injury protection benefits for specified emergency services and care; provides limitations on the increased benefit; specifies application of specified attorney fee provisions to disputes; prohibits application of a contingency risk multiplier applicable to awards of attorney's fees in disputes; specifies additional information requirements for notification of an insured's right to receive personal injury protection benefits under the Florida Motor Vehicle No-Fault Law relating to anti-fraud rewards; requires specified insurers to provide medical payments motorcycle insurance coverage; provides requirements and limitations; provides penalties; specifies covered persons; authorizes insurers to offer various levels of deductibles for the medical payments coverage; requires the Florida Automobile Joint Underwriting Association to make coverage available under specified circumstances; requires the Financial Services Commission to adopt rules; specifies additional information to be included in a crash report; creates a rebuttable presumption relating to the existence of passengers in vehicles involved in a crash; provides an additional fee for specified offenses relating to insurance crimes; requires the Department of Highway Safety and Motor Vehicles to collect and deposit the fee into the Highway Safety Operating Trust Fund; provides an additional circumstance relating to insurance crimes for mandatory revocation of a person's driver's license; prohibits business solicitation by telephone from persons involved in a motor vehicle accident; prohibits scheming to create documentation of a motor vehicle crash that did not occur; provides a criminal penalty; provides that creating, marketing, or presenting fraudulent proof of motor vehicle insurance is a felony of the third degree; extends the repeal of the Florida Motor Vehicle No-Fault Law. Effective Date: October 1, 2006.

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**CS for SB 508 by Justice Appropriations, Aronberg, Crist, Wilson, Klein** (Compare HB 339 CS, HB 591)

**Sexual Predators/Residency;** redefines terms "permanent residence" & "temporary residence" in order to reduce number of consecutive days & days in aggregate which constitute residence of sexual predator for purposes of requirements that predator register with FDLE, sheriff's office, or DOC. Amends 775.21. Effective Date: 07/01/2006

Calendar without reference

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**II. Consent Calendar. Consideration of the following bill(s):**

「 **CS for CS for SB 170 by Children and Families, Health Care, Baker** (Similar HB 181 CS) 」

**Administration of Medication;** deletes requirements for unlicensed staff members of direct care service facilities to administer prescribed medications to persons with developmental disabilities; authorizes direct service providers to administer medication to clients or to supervise self-administration of medication by clients, etc. Amends 393.506. Effective Date: Upon becoming law

Calendar without reference

**HB 181 CS by Hays** (Similar CS/CS/SB 170)

**Administration of Medication;** Deletes requirements for unlicensed staff members of direct care service facilities to administer prescribed medications to persons with developmental disabilities; authorizes direct service providers to administer medication to clients or to supervise self-administration of medication by clients; provides requirements for direct service providers to demonstrate competency regarding supervising the self-administration of medication by clients or administering medication to clients; requires the Agency for Persons with Disabilities to adopt rules to establish standards and procedures governing the supervision of self-administered medications and the administration of medications by direct service providers. Effective Date: upon becoming a law.

Health Care Regulation Committee: Favorable With Committee Substitute; Elder & Long-Term Care Committee: Favorable; Health & Families Council: Favorable

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「 **CS for SB 202 by Judiciary, Aronberg, Crist** (Similar HB 637 CS) 」

**Consumer Protection;** changes obsolete dates; reenacts & amends provision re remedies of enforcing authority under Florida Deceptive & Unfair Trade Practices Act; provides that court may order actions brought under that act on behalf of an enterprise; provides requirements for protection of creation not subject to copyright. Amends 501.203, 204, 207; reenacts 501.207(1); creates 501.972. Effective Date: 07/01/2006

Calendar without reference

**HB 637 CS by Seiler** (Similar CS/SB 202)

**Consumer Protection;** Revises and creates provisions relating to consumer protection; changes obsolete dates; revises provisions relating to remedies of the enforcing authority under the Florida Deceptive and Unfair Trade Practices Act to provide that the court may order actions brought under that act on behalf of an enterprise; provides that the use of a creation that is not protected under federal copyright law shall not give rise to a claim or cause of action, except under specified circumstances; provides construction with respect thereto. Effective Date: July 1, 2006.

Agriculture Committee: Favorable; Civil Justice Committee: Favorable; Judiciary Appropriations Committee: Favorable; State Resources Council: Favorable With Committee Substitute

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「 **CS for CS for SB 262 by Judiciary, Governmental Oversight and Productivity, Bennett** (Identical HB 7081 CS) 」

**Administrative Procedures;** revises duties of Administrative Procedures Committee re its review of statutes; requires an agency to file notice of change with said committee; provides exception to term "administrative determination" for purposes of rule adoption; provides requirements for Internet website; provides for equitable tolling as defense to untimely filing of petition, etc. Amends 11.60, 57.111, Ch.120. Effective Date: 07/01/2006 except as otherwise provided

Calendar without reference

**HB 7081 CS by Governmental Operations Committee, Rivera, Bogdanoff** (Identical CS/CS/SB 262)

**Administrative Procedures;** Revises various provisions relating to administrative procedures; revises duties of the Administrative Procedures Committee with respect to its review of statutes; redefines the term "small business party" to include certain specified individuals whose net worth does not exceed a specified amount; requires an agency to file a notice of change with the Administrative Procedures Committee; revises times for filing rules for adoption; provides an exception to the term "administrative determination" for purposes of rule adoption; provides for the form and provisions of bonds; provides additional content for uniform rules; requires that certain information be included in forms incorporated by reference in rules; requires information to be published electronically on an Internet website; provides that such publication does not preclude other publications; provides additional duties of the Department of State with respect to publications; provides requirements for the Internet website; revises provisions relating to withdrawal of challenged rules; provides for equitable tolling as a defense to the untimely filing of a petition; requires a final order to include an explicit ruling on each exception to the recommended order; requires that additional information be included in notices relating to protests of contract solicitations or awards; requires the Division of Administrative Hearings to include certain recommendations and information in its annual report to the Administrative Procedures Committee; requires agency reports to be filed with the Administrative Procedures Committee; requires that the annual report filed by an agency identify the types of cases or disputes in which it is involved which should be conducted under the summary hearing process; requires the Department of State to provide certain assistance to agencies in their transition to publishing on the Florida Administrative Weekly Internet website. Effective Date: July 1, 2006.

Transportation & Economic Development Appropriations Committee: Favorable; State Administration Council: Favorable With Committee Substitute

SB 372 by Peaden, Fasano (Identical HB 243)

**Hearing Aid Specialists;** deletes requirement that said specialists make certain disclosures re services that are provided free of charge or at reduced fee. Amends 456.062. Effective Date: 07/01/2006

Calendar without reference

HB 243 by Kendrick, Bilirakis (Identical SB 372)

**Hearing Aid Specialists;** Eliminates the application of certain advertising requirements to health care practitioners licensed under pt. II of ch. 484, F.S., relating to the regulation of hearing aid specialists. Effective Date: July 1, 2006.

Health Care Regulation Committee: Favorable; Elder & Long-Term Care Committee: Favorable; Health & Families Council: Favorable

CS for SB 388 by Health Care, Argenziano (Similar HB 501 CS)

**Assisted Care Communities;** creates ch. 429, F.S., & transfers specified provisions of ch. 400, F.S. re assisted living facilities, adult family-care homes, & adult day care centers to ch. 429, F.S.; conforms references to changes made by act; provides that physician assistants are subject to certain requirements in same manner as physicians; requests Division of Statutory Revision to make necessary conforming changes to Florida Statutes. Creates Ch. 429; amends FS. Effective Date: 07/01/2006

Calendar without reference

HB 501 CS by Clarke, Stargel (Similar CS/SB 388)

**Assisted Care Communities;** Creates ch. 429, F.S., and transfers specified provisions of ch. 400, F.S. relating to assisted living facilities, adult family-care homes, and adult day care centers to the chapter; conforms references to changes made by the act; provides that physician assistants are subject to certain requirements in the same manner as physicians; requests the Division of Statutory Revision to make necessary conforming changes to Florida Statutes. Effective Date: July 1, 2006.

Elder & Long-Term Care Committee: Favorable With Committee Substitute; Future of Florida's Families Committee: Favorable; Governmental Operations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

CS for SB 466 by Regulated Industries, Constantine (Identical HB 159 CS)

**Regulation of Real Estate Appraisers;** revises requirements re work performed by persons who are not certified, licensed, or registered; provides requirements re issuance of appraisal reports & compensation of appraisers, including trainees; revises minimum &

maximum course hour requirements for trainee appraiser registration; provides for issuance of registration & certification upon receipt of proper documentation, etc. Amends Ch. 475. Effective Date: 07/01/2006

Calendar without reference

HB 159 CS by McInvale, Detert, Flores, Hays (Identical CS/SB 466)

**Regulation of Real Estate Appraisers;** Revises requirements relating to work performed by persons who are not certified, licensed, or registered; provides requirements relating to issuance of appraisal reports and compensation of appraisers, including trainees; removes obsolete language relating to qualifications for registration, licensure, or certification; revises education and experience requirements; removes obsolete language relating to examination requirements; revises the minimum and maximum course hour requirements for trainee appraiser registration; removes obsolete provisions establishing education and experience requirements for licensure as an appraiser; revises education and experience requirements for certification as a residential appraiser or general appraiser; requires applicants for certification to maintain certain application documents; provides for the issuance of registration and certification upon receipt of proper documentation; prohibits supervisory appraisers from certain employment; requires supervisory appraisers to provide direct training to registered trainee appraisers; requires appraisers to furnish their firm or business name and any change in that name to the Department of Business and Professional Regulation; provides rulemaking authority to the Florida Real Estate Appraisal Board for purposes of provisions of the act. Effective Date: July 1, 2006.

Business Regulation Committee: Favorable With Committee Substitute; State Administration Appropriations Committee: Favorable; Commerce Council: Favorable

CS for SB 640 by Judiciary, Miller, Lynn, Klein (Identical HB 763 CS)

**Luring or Enticing Child;** defines term "convicted"; provides that person 18 years of age or older who intentionally lures or entices, or attempts to lure or entice, child under age of 12 into structure, dwelling, or conveyance for other than lawful purpose commits misdemeanor of first degree; authorizes law enforcement officer to arrest person without warrant if there is probable cause, etc. Amends 787.025, 775.21, 794.0115, 943.0435, 944.606, 607, 948.32, 901.15. Effective Date: 07/01/2006

Calendar without reference

HB 763 CS by Ambler, Glorioso, Hasner, Henriquez, Rice, Sands, Traviesa, Williams (Identical CS/SB 640)

**Luring or Enticing a Child;** Defines the term "convicted"; provides that a person 18 years of age or older who intentionally lures or entices, or attempts to lure or entice, a child under the age of 12 into a structure, dwelling, or conveyance for other than a lawful purpose commits a misdemeanor of the first degree; provides that a person who has previously been convicted of this offense and who intentionally lures or entices, or attempts to lure or entice, a child under the age of 12 into a structure, dwelling, or conveyance for other than a lawful purpose commits a felony of the third degree; deletes a presumption regarding what constitutes other than a

lawful purpose; authorizes a law enforcement officer to arrest a person without a warrant if there is probable cause to believe that the person is intentionally luring or enticing, or attempting to lure or entice, a child under the age of 12 into a structure, dwelling, or conveyance for other than a lawful purpose. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

「 **CS for SB 646 by Judiciary, Campbell** (Similar HB 327 CS) 」

**Sexual & Career Offenders;** revises definition of term "institution of higher education" to include career center; revises provisions re use of prior felonies for sexual predator determination; removes provisions allowing sexual predator to register at FDLE; revises provisions re definition of "sexual offender"; revises provision re offender's driver's license or identification card renewal, etc. Amends 775.21, 261, 943.0435, 944.606, 607. Effective Date: 07/01/2006

Calendar without reference

**HB 327 CS by Porth, Sands** (Similar CS/SB 646)

**Sexual and Career Offenders;** Revises the definition of "institution of higher education" to include a career center; revises provisions relating to use of prior felonies for sexual predator determination; deletes a requirement for separate sentencing of a prior felony for sexual predator designation; removes language allowing a sexual predator to register at a FDLE office; revises an operational date used for career offender registration; expands applicability of registration requirements; removes language allowing a sexual offender to register at a FDLE office; revises language relating to the definition of "sexual offender"; revises the definition of "institution of higher education" to include a career center; revises a provision relating to an offender's driver license or identification card renewal; revises language relating to the definition of "sexual offender"; revises the definition of "institution of higher education" to include a career center. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

「 **SB 676 by Bullard** (Similar HB 453) 」

**Designations;** designates key lime pie as official state pie. Creates 15.052. Effective Date: 07/01/2006

Calendar without reference

**HB 453 by Needelman, Bullard, Clarke, Gelber, Johnson, Littlefield, Sorensen, Zapata** (Similar SB 676)

**Designation of an Official State Pie of the State of Florida;** Designates the Key Lime Pie as the official pie of the State of Florida. Effective Date: July 1, 2006.

Governmental Operations Committee: Favorable; Tourism Committee: Favorable; State Administration Council: Favorable

「 **SB 694 by Crist, Fasano, Baker, Bennett, Sebesta, Lynn** (Similar HB 651) 」

**Secondhand Dealers;** exempts persons or entities offering secondhand goods or personal property for sale, purchase, consignment, or trade via Internet from provisions of Secondhand Dealers & Secondary Metals Recyclers under certain circumstances; exempts certain businesses that sell, rent, or trade motion picture videos or video games from such provisions; revises provisions re holding of goods upon probable cause that goods are stolen, etc. Amends FS. Effective Date: 10/01/2006

Calendar without reference

**HB 651 by Kottkamp, Adams, Culp, Sansom** (Similar SB 694)

**Secondhand Dealers;** Revises various provisions of ch. 538, F.S., relating to secondhand dealers; revises definitions; revises applicability of ch. 538, F.S.; exempts persons or entities offering secondhand goods or personal property for sale, purchase, consignment, or trade via the Internet from the provisions of ch. 538, F.S., under certain circumstances; exempts certain businesses that sell, rent, or trade motion picture videos or video games from ch. 538, F.S.; revises recordkeeping requirements for secondhand dealers; provides penalties for knowingly giving false verification of ownership or a false or altered identification, and for receiving money from a secondhand dealer for goods sold, consigned, or traded if the value of the money received is less than \$300, and if the value of the money received is \$300 or more; provides for the electronic transfer of secondhand dealer transactions under specified circumstances; authorizes appropriate law enforcement agencies to provide a secondhand dealer with a computer and other equipment necessary to electronically transfer secondhand dealer transactions; provides procedures with respect to electronic transfer of secondhand dealer transactions; revises provisions relating to the inspection of records and premises of secondhand dealers; revises provisions with respect to the holding of goods upon probable cause that the goods are stolen; provides for payment of restitution, attorney's fees, and costs to a secondhand dealer under specified circumstances; revises the time limit for maintenance of transaction records by dealers in secondhand property; revises provisions relating to restitution for stolen property recovered from a secondhand dealer; revises provisions with respect to registration as a secondhand dealer; revises conditions under which registration may be denied, revoked, restricted, or suspended by the Department of Revenue; repeals provisions relating to disposal of property by secondhand dealers. Effective Date: October 1, 2006.

Criminal Justice Committee: Favorable; Business Regulation Committee: Favorable; Governmental Operations Committee: Favorable; Justice Council: Favorable

「 **CS for CS for SB 786 by Judiciary, Commerce and Consumer Services, Hill, Miller, Crist** (Identical HB 1211 CS, Compare HB 7001) 」

**State Minimum Wage/Notification;** provides definitions; requires employer to display posters at worksites to provide employees notice about said wage; requires Agency for Workforce

Innovation to make available updated poster each year; provides for size & contents of posters. Creates 448.109. Effective Date: 01/01/2007

Calendar without reference

**HB 1211 CS by Fields, Sobel** (Identical CS/CS/SB 786, Compare HB 7001)

**Notification Regarding the State Minimum Wage;** Requires an employer to display posters at worksites to notify employees about the state minimum wage; requires the Agency for Workforce Innovation to make an updated poster available each year; provides for the size and contents of the posters. Effective Date: January 1, 2007.

Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; Commerce Council: Favorable With Committee Substitute

「 **CS for SB 876 by Environmental Preservation, Smith** (Similar HB 741 CS, Compare HB 19 CS, CS/SB 1086) 」

**William W. 'Bill' Hinkley Center/DEP;** designates Florida Center for Solid & Hazardous Waste Management as "William W. 'Bill' Hinkley Center for Solid & Hazardous Waste Management"; directs DEP to erect suitable markers. Effective Date: 07/01/2006

Calendar without reference

**HB 741 CS by Greenstein** (Similar CS/SB 876, Compare HB 19 CS, CS/SB 1086)

**Florida Center for Solid and Hazardous Waste Management;** Designates the Florida Center for Solid and Hazardous Waste Management as the William W. "Bill" Hinkley Center for Solid and Hazardous Waste Management; directs the Department of Environmental Protection, in coordination with the University of Florida and the University of Florida Foundation, to erect suitable markers. Effective Date: July 1, 2006.

Colleges & Universities Committee: Favorable With Committee Substitute; Education Appropriations Committee: Favorable; Education Council: Favorable

「 **SB 1076 by Smith** (Similar HB 149) 」

**DUI Classes;** requires that DUI classes be taught by certified instructor in classroom in which instructor & offenders in class are physically present; prohibits any other method of instruction. Amends 322.292. Effective Date: 07/01/2006

Calendar without reference

**HB 149 by Mahon, Baxley, Porth, Proctor, Robaina** (Similar SB 1076)

**DUI Education Courses;** Provides additional requirements for DUI education courses. Effective Date: July 1, 2006.

Transportation Committee: Favorable; Criminal Justice Committee: Favorable; State Infrastructure Council: Favorable

「 **CS for SB 1112 by Governmental Oversight and Productivity, Community Affairs, Bennett** (Identical HB 1447 CS) 」

**Development Permits/Denial;** requires county to give written notice of its decision to deny development permit; specifies information that notice must include; defines term "development permit"; requires municipality to give written notice of its decision to deny development permit; specifies information that notice must include. Creates 125.022, 166.033. Effective Date: 10/01/2006

Calendar without reference

**HB 1447 CS by Reagan** (Identical CS/SB 1112)

**Denial of Development Permits;** Requires counties and municipalities to give written notice of the decision to deny a development permit; requires that the notice include specific information; defines the term "development permit." Effective Date: October 1, 2006.

Governmental Operations Committee: Favorable With Committee Substitute; Local Government Council: Favorable With Committee Substitute; State Administration Council: Favorable With Committee Substitute

「 **SB 1198 by Atwater** (Similar HB 7179) 」

**Corporate Income Tax;** provides for adoption of 2006 version of Internal Revenue Code; provides for retroactive operation. Amends 220.03. Effective Date: Upon becoming law

Calendar without reference

**HB 7179 by Finance & Tax Committee, Brummer** (Similar SB 1198)

**Corporate Income Tax;** Provides for the adoption of the 2006 version of the Internal Revenue Code; provides for retroactive operation. Effective Date: upon becoming a law and shall operate retroactively to January 1, 2006.

Fiscal Council: Favorable

「 **CS for SB 1256 by Banking and Insurance, Saunders, King, Baker, Crist** (Identical HB 377 CS) 」

**Continuing Care Provider/Debt;** deletes requirement that provider include property insurance premiums within amount required as debt service reserve; deletes provisions providing for calculating amount of such premiums; deletes provisions exempting property insurance premiums from amount that provider is required to maintain as operating reserve. Amends 651.035. Effective Date: 07/01/2006

Calendar without reference

**HB 377 CS by Gibson, H., Seiler** (Identical CS/SB 1256)

**Continuing Care Provider Minimum Liquid Reserve Requirements;** Deletes property insurance premiums from debt service reserve requirements; deletes property insurance debt service reserve limitations; deletes additional minimum debt service reserve requirements for specified years; includes property insurance premiums in calculating expenses. Effective Date: July 1, 2006.

Elder & Long-Term Care Committee: Favorable With Committee Substitute; Insurance Committee: Favorable; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable

「**CS for SB 1278 by Governmental Oversight and Productivity, Wise** (Identical HB 1623 CS)

**Youth/Young Adults with Disabilities;** creates Interagency Services Committee for Youth & Young Adults with Disabilities; provides legislative intent; provides that committee be staffed by member agencies of committee & provides for membership; provides duties & responsibilities for committee; requires committee to submit report to Governor & Legislature. Effective Date: Upon becoming law

Calendar without reference

**HB 1623 CS by Bean, Holloway, Sobel** (Identical CS/SB 1278)

**Youth and Young Adults with Disabilities;** Provides for the creation of the Interagency Services Committee for Youth and Young Adults with Disabilities within the Agency for Persons with Disabilities; requires specified member agencies to provide staff support for the committee; provides for reimbursement of certain expenses; provides that the committee is subject to open records and meetings requirements; requires the committee to submit a report to the Governor and Legislature; provides for termination of the committee. Effective Date: upon becoming a law.

Elder & Long-Term Care Committee: Favorable With Committee Substitute; Fiscal Council: Favorable; Health & Families Council: Favorable With Committee Substitute

「**CS for SB 1290 by Community Affairs, Fasano, Crist** (Similar HB 1153 CS)

**Concealed Weapons/License Renewal;** revises provisions concerning licenses for concealed weapons or concealed firearms held by servicemember; prohibits license expiration while servicemember is under military orders to be certain distance away from his or her residence; provides for extension of time to renew such license; provides for fees & costs when such license is renewed within extension period, etc. Amends 790.06. Effective Date: 07/01/2006

Calendar without reference

**HB 1153 CS by Coley, Allen, Ambler, Cretul, Evers** (Similar CS/SB 1290)

**Concealed Weapons;** Provides that a concealed weapon or firearm license of a servicemember serving on military orders away from his or her residence shall not expire until 180 days after the date upon which the servicemember returns from serving on military orders; provides procedures and requirements with respect to the extension. Effective Date: July 1, 2006.

Agriculture Committee: Favorable; Military & Veteran Affairs Committee: Favorable With Committee Substitute; State Resources Council: Favorable

「**SB 1386 by Criminal Justice, Crist, Lynn** (Identical HB 7135)

**Youthful Offenders;** deletes provision limiting certain sentencing options available to court following violation of conditions of probation by youthful offender. Amends 958.045. Effective Date: 07/01/2006

Calendar without reference

**HB 7135 by Criminal Justice Committee, Kravitz** (Identical SB 1386)

**Youthful Offenders;** Deletes a provision limiting certain sentencing options available to the court following a violation of the conditions of probation by a youthful offender. Effective Date: July 1, 2006.

Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable

「**CS for SB 1438 by Governmental Oversight and Productivity, Argenziano** (Similar HB 7243)

**Custodial Requirements/Pub. Rec.;** clarifies custodial requirements for record that is confidential & exempt from disclosure pursuant to law; authorizes custodian of such record to require agency or other governmental entity that receives record to acknowledge in writing confidential & exempt status of record. Amends 119.021. Effective Date: 07/01/2006

Calendar without reference

**HB 7243 by Governmental Operations Committee, Rivera** (Similar CS/SB 1438)

**Custodial Requirements for Public Records;** Organizes provisions relating to the maintenance, preservation, and retention of public records and the custodial requirements for confidential and exempt records; provides requirements with respect to the authority of a custodian of a public record to release the record; provides requirements with respect to retention of confidential and exempt records by an agency or other governmental entity; authorizes a custodian of confidential and exempt records to require an agency or other governmental entity authorized to receive such record to acknowledge in writing the confidential and exempt status of such record; specifies that the act does not limit access to any record by an agency or entity acting on behalf of a

custodian of public records, the Legislature, or pursuant to court order. Effective Date: July 1, 2006.

State Administration Council: Favorable

**CS for CS for SB 1510 by Community Affairs, Children and Families, Lynn** (Similar HB 1231 CS, Compare SB 270)

**Child Care Facilities;** provides criteria that certain said facilities must meet in order to obtain & maintain designation as Gold Seal Quality Care provider; authorizes DCFS or local licensing agency to convert license or registration to probation status for violation of certain laws; authorizes provision of child care for period longer than otherwise authorized if parent or legal guardian works shift of 24 hours or more, etc. Amends Ch. 402. Effective Date: 07/01/2006

Calendar without reference

**HB 1231 CS by Ausley, Bendross-Mindingall, Holloway, Sobel, Waters** (Similar CS/CS/SB 1510, Compare SB 270)

**Child Care;** Transfers authority for administration of the Teacher Education and Compensation Helps (TEACH) scholarship program from the Department of Children and Family Services to the Agency for Workforce Innovation; provides additional criteria for a child care provider to obtain and maintain Gold Seal Quality Care designation; revises the definition of the term "screening" to broaden the requirements for the screening of volunteers in child care facilities; authorizes the department or local licensing agencies to issue a provisional license or registration to a child care facility, family day care home, or large family child care home, to convert a license or registration to probation status for a violation of certain laws and rules, and to apply disciplinary actions to registered family day care homes; requires minimum safety standards for family day care homes; provides that a provisional license or registration may not be issued unless child care personnel are screened according to law; requires the department to adopt rules for issuing, suspending, and revoking provisional licenses and registrations, establishing grounds for imposing disciplinary actions for violations of certain laws and rules, and creating a uniform system of procedures to use for disciplinary actions; provides that an increased administrative fine may be imposed in addition to or in lieu of other disciplinary actions; authorizes the provision of child care for a period longer than otherwise authorized if a parent or legal guardian works a shift of 24 hours or more. Effective Date: July 1, 2006.

Future of Florida's Families Committee: Favorable With Committee Substitute; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

**CS for SB 1670 by Governmental Oversight and Productivity, Garcia** (Similar HB 7155, Compare HB 1251 CS)

**State Financial Matters;** revises method for calculating interest on certain moneys transferred between retirement accounts; provides for credit for military service of members of Public Employee Optional Retirement Program; revises standards for determining eligibility of specified savings accounts, certificates of deposit, time drafts, bills of exchange, bonds, notes & other

instruments for investment by State Board of Administration, etc. Amends FS. Effective Date: 07/01/2006

Calendar without reference

**HB 7155 by Governmental Operations Committee, Rivera** (Similar CS/SB 1670, Compare HB 1251 CS)

**State Financial Matters;** Revises the method for calculating interest on certain moneys transferred between retirement accounts; provides for credit for military service of members of the Public Employee Optional Retirement Program; prescribes procedures to follow if a participant in the Public Employee Optional Retirement Program receives an invalid distribution; revises standards for determining eligibility of specified savings accounts, certificates of deposit, time drafts, bills of exchange, bonds, notes, and other instruments for investment by the State Board of Administration. Effective Date: July 1, 2006.

State Administration Council: Favorable

**CS for CS for SB 1678 by Governmental Oversight and Productivity, Government Efficiency Appropriations, Government Efficiency Appropriations** (Similar HB 7197)

**Governmental Operations/Agency Fees;** provides legislative intent that fees charged by state agencies for providing regulatory service or regulating profession or business cover costs of regulatory service or oversight; requires that each agency, as part of its legislative budget request, provide to Governor & Legislature information re alternatives for realigning revenues or costs to make regulatory service or program self-sufficient, etc. Creates 216.0236. Effective Date: 07/01/2006

Calendar without reference

**HB 7197 by State Administration Appropriations Committee, Berfield** (Similar CS/CS/SB 1678)

**Governmental Operations;** Provides legislative intent that all costs of providing a regulatory service or regulating a profession or business be borne solely by those who receive the service or who are subject to regulation; requires each state agency to annually examine the fees it charges for providing regulatory services and oversight to businesses or professions; provides criteria for the examination; requires, under specified circumstances, that each agency, as part of its legislative budget request, provide to the Governor and the Legislature alternatives to make a regulatory service or program self-sufficient or provide justification for a partial subsidy from other state funds; requires periodic review of regulatory fees by the Legislature. Effective Date: July 1, 2006.

Fiscal Council: Favorable

**CS for SB 1690 by Health Care, Saunders** (Similar HB 859 CS)

**Physician Assistants/Discipline;** appoints physician assistant to probable cause panels of Board of Medicine & Board of Osteopathic Medicine considering discipline of said assistants; provides qualifications for physician assistants appointed to panels; exempts appointed physician assistants from certain training



requirements concerning grounds for disciplinary action. Amends 458.331, 459.015. Effective Date: 07/01/2006

Calendar without reference

**HB 859 CS by Baxley** (Similar CS/SB 1690)

**Probable Cause Panels;** Places a physician assistant on probable cause panels of the Board of Medicine and the Board of Osteopathic Medicine considering discipline of physician assistants; provides that certain rulemaking provisions are not required to implement specified probable cause panel provisions. Effective Date: July 1, 2006.

Health Care Regulation Committee: Favorable With Committee Substitute; Health & Families Council: Favorable

**CS for SB 1748 by Judiciary, Wise** (Identical HB 7029, Compare HB 27 CS)

**Juvenile Justice;** provides new section numbers & part titles; amends provision re legislative intent for juvenile justice system; amends provision re definitions for chapter; creates provision re jurisdiction of juvenile court; creates provision re legal representation for delinquency cases; creates provision re right to counsel; creates provision re open hearings; creates provision re rights of victims in juvenile proceedings, etc. Amends FS. Effective Date: 01/01/2007

Calendar without reference

**HB 7029 by Juvenile Justice Committee, Culp** (Identical CS/SB 1748, Compare HB 27 CS)

**Juvenile Justice;** Reorganizes ch. 985, F.S., relating to juvenile justice, to effect a technical reorganization without any substantive change to its contents for the purpose of simplifying the chapter's presentation and providing greater clarity for its users; conforms provisions. Effective Date: January 1, 2007.

Justice Council: Favorable

**SB 1850 by Rich, Lynn** (Similar HB 7083 CS, Compare HB 619 CS, CS/SB 1034, CS/CS/SB 1286)

**CFS Department Programs;** provides that marriage & family therapist may execute certificate for involuntary examination; requires that documentation of any evaluation performed by marriage & family therapist or mental health counselor be provided when patient is ordered to involuntary inpatient placement; requires service provider personnel who request exemption from disqualification to submit request within certain time after notification, etc. Amends FS. Effective Date: Upon becoming law

Calendar without reference

**HB 7083 CS by Future of Florida's Families Committee, Galvano** (Similar SB 1850, Compare HB 619 CS, CS/SB 1034, CS/CS/SB 1286)

**Programs of the Department of Children and Family Services;** Deletes repeal of the Commission on Marriage and Family Support

Initiatives; directs the Department of Children and Family Services to advise the Legislature when the commission ceases to be essential; requires service provider personnel who request an exemption from disqualification to submit the request within a certain time after notification of the disqualification; requires a service provider to comply with the provisions of s. 435.06, F.S.; deletes a provision requiring immediate dismissal of service provider personnel upon disapproval of a request for an exemption; prohibits the department from issuing a regular license to a service provider that fails to provide proof that background screening information has been submitted; repeals s. 3, ch. 2003-279, Laws of Florida, to abrogate the repeal of s. 20.19(2)(c) and (4)(b)6. and 8., F.S., relating to the appointment of certain mental health and substance abuse positions and the establishment of program offices for mental health and substance abuse; provides that a mental health counselor or marriage and family therapist may execute a certificate for involuntary examination and deem a services treatment plan clinically appropriate for an involuntary outpatient placement; requires that documentation of any evaluation performed by a mental health counselor or marriage and family therapist be provided when a patient is ordered for involuntary inpatient placement. Effective Date: upon becoming a law.

Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

**CS for SB 1922 by Health Care, Peaden** (Similar HB 1067 CS)

**State Long-Term Care Ombudsman Prog.;** revises provisions re qualifications of State Long-Term Care Ombudsman; revises duties & responsibilities of said ombudsman; revises duties & membership of State Long-Term Care Ombudsman Council; authorizes Secretary of Elderly Affairs to recommend to Governor appointments for at-large positions on state council; requires rules for receiving, investigating, & assessing complaints against long-term care facilities, etc. Amends Ch. 400. Effective Date: Upon becoming law

Calendar without reference

**HB 1067 CS by Grimsley, Bullard** (Similar CS/SB 1922)

**State Long-Term Care Ombudsman Program;** Revises legislative findings and intent; revises provisions relating to qualifications of the State Long-Term Care Ombudsman; revises duties of the legal advocate; revises duties and responsibilities of the State Long-Term Care Ombudsman; requires an annual report; repeals provisions relating to the Office of State Long-Term Care Ombudsman and departments of state government; revises duties and membership of the State Long-Term Care Ombudsman Council; provides for election of a local council member from each local council to provide representation on the state council; authorizes the Secretary of Elderly Affairs to recommend to the Governor appointments to at-large positions on the state council; provides conditions for removal of members of and for filling vacancies on the state council; provides for election of officers and meetings; provides for per diem and travel expenses if approved by the ombudsman; authorizes the State Long-Term Care Ombudsman to designate and direct local long-term care ombudsman councils; requires approval by the Secretary of Elderly Affairs of jurisdictional boundaries designated by the ombudsman; revises duties of the local long-term care ombudsman councils; provides requirements and application for membership, election of officers, and meetings of a local long-term care ombudsman council; provides

conditions for removal of members; provides for travel expenses for members of the council; consolidates provisions relating to conflicts of interest of the ombudsman; provides rulemaking authority to the Department of Elderly Affairs regarding conflicts of interest; requires the department to adopt rules relating to procedures for receiving, investigating, and assessing complaints against long-term care facilities; deletes provisions requiring certain approval by the Secretary of Elderly Affairs and the ombudsman and the posting and distribution of copies of such procedures; provides conditions for investigations of complaints by state and local ombudsman councils; provides that refusing to allow the ombudsman or a member of a state or local council to enter a long-term care facility is a violation of ch. 400, F.S.; deletes conditions for onsite administrative inspections; provides conditions and requirements for onsite administrative assessments of nursing homes, assisted living facilities, and adult family-care homes; prohibits forcible entry of long-term care facilities; provides that refusing to allow the ombudsman or a member of a state or local council to enter a long-term care facility is a violation of ch. 400, F.S.; provides complaint and notification procedures for state and local councils; provides circumstances in which information relating to violations by a long-term care facility is provided to a local law enforcement agency; requires information relating to the State Long-Term Care Ombudsman Program to be provided to residents of long-term care facilities or their representatives; provides for immunity from liability for certain persons; requires long-term care facilities to provide the Office of State Long-Term Care Ombudsman and state and local councils and their members with access to the facility and the records and residents of the facility; authorizes rather than requires the department to adopt rules regarding access to facilities, records, and residents; prohibits certain actions against persons who file complaints; provides penalties; provides for oversight by and responsibilities of the department; requires the department to provide certain funding for the State Long-Term Care Ombudsman Program; requires the office to maintain a data reporting system relating to complaints about and conditions in long-term care facilities; requires the office to publish and include certain information in its annual report; provides for training of employees of the office and members of the state and local councils; requires the ombudsman to approve the curriculum and provides contents thereof; requires certification of employees by the ombudsman. Effective Date: upon becoming a law.

Elder & Long-Term Care Committee: Favorable With Committee Substitute; Governmental Operations Committee: Favorable With Committee Substitute; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable

CS for SB 1956 by Banking and Insurance, Aronberg (Identical HB 7099 CS)

**Florida Land Trust Act;** revises provisions re land trust transfers of real property & vesting of ownership in trustee; deletes requirement that trustee be qualified to act as fiduciary; specifies rights, liabilities, & duties of land trust beneficiaries; provides that principal residence of beneficiary which is held in land trust is entitled to homestead tax exemption under certain circumstances; provides application, etc. Amends 689.071, 201.02. Effective Date: 10/01/2006

Calendar without reference

HB 7099 CS by Judiciary Committee, Simmons (Identical CS/SB 1956)

**Land Trusts;** Revises provisions relating to land trust transfers of real property and vesting of ownership in a trustee; deletes a requirement that a trustee be qualified to act as a fiduciary; specifies rights, liabilities, and duties of land trust beneficiaries; provides that the principal residence of a beneficiary which is held in a land trust is entitled to the homestead tax exemption; provides for the appointment of successor trustees; provides requirements for declarations of appointment; provides that a trustee of a land trust may be a creditor of the trust or of a trust beneficiary; provides application. Effective Date: October 1, 2006.

Civil Justice Committee: Favorable; Finance & Tax Committee: Favorable With Committee Substitute; Justice Council: Favorable

CS for CS for SB 1958 by Community Affairs, Environmental Preservation, Aronberg, Baker, Posey (Similar HB 733 CS)

**Airboats;** defines terms "airboat" & "muffler"; conforms terminology; provides for regulation of airboat operation & equipment; requires sound-muffling device & display of flags, as described; provides penalties; prohibits ordinance or local law from discriminating against airboats; provides for mandatory education; corrects cross-references & conforms terminology, etc. Amends FS. Effective Date: 10/01/2006 except as otherwise provided

Calendar without reference

HB 733 CS by Dean, Grimsley, Troutman (Similar CS/CS/SB 1958)

**Airboats;** Provides for regulation of airboat operation and equipment; requires described sound-muffling device; prohibits the use of cutouts or flex pipe as the sole source of muffling; requires display of described flag; provides penalties and exceptions; prohibits an ordinance or local law from discriminating against airboats; provides for penalties, court costs, and procedures for disposition of citations for specified violations; requires certain violators to complete a described boating safety course and to file proof of completion with the Fish and Wildlife Conservation Commission prior to operating a vessel. Effective Date: upon becoming a law, this act shall take effect October 1, 2006.

Water & Natural Resources Committee: Favorable With Committee Substitute; Agriculture & Environment Appropriations Committee: Favorable With Committee Substitute; State Resources Council: Favorable With Committee Substitute

CS for SB 2034 by Education Appropriations, Baker (Similar HB 1065 CS)

**Education/Spouses/Disabled Veterans;** provides that it is declared policy of state to provide educational opportunity at state expense for spouses of deceased or disabled servicemembers; provides criteria for qualification for such benefits for unmarried spouses of deceased servicemembers & dependent spouses of disabled servicemembers; specifies uses of funds appropriated for

such educational opportunities; revises terminology, etc. Amends Ch. 295. Effective Date: 07/01/2006

Calendar without reference

**HB 1065 CS by Jordan, Baxley, Cretul, Grant** (Similar CS/SB 2034)

**Educational Opportunities for Children and Spouses of Deceased or Disabled Veterans and Servicemembers;** Provides that it is the declared policy of the state to provide educational opportunity at state expense for spouses of deceased or disabled servicemembers; provides criteria for qualification for such benefits for unremarried spouses of deceased servicemembers and dependent spouses of disabled servicemembers; specifies uses of funds appropriated for such educational opportunities; revises terminology; removes a limitation with respect to the provision of educational opportunity at state expense for dependent children either of whose parents became classified as prisoners of war or missing in action in the service of the Armed Forces of the United States or civilian personnel captured while serving with the consent or authorization of the United States Government. Effective Date: July 1, 2006.

Community Colleges & Workforce Committee: Favorable; Military & Veteran Affairs Committee: Favorable; Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable

**CS for CS for SB 2184 by Children and Families, Judiciary, Campbell** (Similar HB 1047 CS)

**Parental Relocation with a Child;** deletes standards for determining whether to allow primary residential parent to move child; provides for notification of certain persons of intent to relocate child & provides procedures therefor; requires that certain information be provided on Notice of Intent to Relocate; provides that filing of certain notices & orders re uncontested relocation are exempt from filing fees, etc. Amends 61.13, 28.241; creates 61.13001. Effective Date: 10/01/2006

Calendar without reference

**HB 1047 CS by Stargel** (Similar CS/CS/SB 2184)

**Parental Relocation with a Child;** Deletes standards for determining whether to allow a primary residential parent to move a child; provides for notification of certain persons of the intent to relocate the child and provides procedures therefor; requires certain information to be provided on a Notice of Intent to Relocate; provides procedures for objecting to the relocation of a child; provides applicability of public records law; provides for content of an objection to relocation; authorizes the court to grant a temporary order restraining the relocation of a child; prohibits certain presumptions and requires certain factors to be evaluated by the court with regard to relocation of a child; assigns the burden of proof in cases of relocation of a child; authorizes the court to order certain contact with the child by the nonrelocating party; grants priority for certain hearings and trials; provides applicability. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable With Committee Substitute; Future of Florida's Families Committee: Favorable; Justice Council: Favorable

**CS for SB 2432 by Health Care, Constantine** (Similar HB 1501 CS)

**John F. Cosgrove Act/Travel/Medical;** exempts certain sellers of travel from licensing requirements to sell prepaid limited health service contracts that cover cost of transportation provided by air ambulance service. Amends 636.044. Effective Date: 07/01/2006

Calendar without reference

**HB 1501 CS by Berfield** (Similar CS/SB 2432)

**Agent Licensing;** Authorizes travel agents to solicit and sell air ambulance transportation prepaid limited health service contracts. Effective Date: July 1, 2006.

Agriculture Committee: Favorable; Insurance Committee: Favorable With Committee Substitute; State Resources Council: Favorable

**SB 2340 by Crist** (Identical HB 5035)

**Administrative Trust Fund/DOC;** creates Administrative Trust Fund within Department of Corrections; provides for sources of funds & purposes; provides for annual carryforward of funds; provides for future review & termination or re-creation of trust fund. Creates 20.3151. Effective Date: 07/01/2006

Calendar without reference

**HB 5035 by Fiscal Council, Barreiro** (Identical SB 2340)

**Administrative Trust Fund;** Creates the Administrative Trust Fund within the Department of Corrections; provides for sources of funds and purposes; provides for annual carryforward of funds; provides for future review and termination or re-creation of the trust fund. Effective Date: July 1, 2006.

Calendar without reference

**SB 2342 by Crist** (Identical HB 5037)

**Federal Grants Trust Fund/DOC;** creates Federal Grants Trust Fund within Department of Corrections; provides for sources of funds & purposes; provides for future review & termination or re-creation of trust fund. Creates 945.21503. Effective Date: 07/01/2006

Calendar without reference

**HB 5037 by Fiscal Council, Barreiro** (Identical SB 2342)

**Federal Grants Trust Fund;** Creates the Federal Grants Trust Fund within the Department of Corrections; provides for sources of

funds and purposes; provides for future review and termination or re-creation of the trust fund. Effective Date: July 1, 2006.

Calendar without reference

**SB 2344 by Crist** (Identical HB 5039)

**Administrative Trust Fund/FDLE;** creates Administrative Trust fund within Department of Law Enforcement; provides for sources of funds & purposes; provides for annual carryforward of funds; provides for future review & termination or re-creation of trust fund. Creates 943.367. Effective Date: 07/01/2006

Calendar without reference

**HB 5039 by Fiscal Council, Barreiro** (Identical SB 2344)

**Administrative Trust Fund;** Creates the Administrative Trust Fund within the Department of Law Enforcement; provides for sources of funds and purposes; provides for annual carryforward of funds; provides for future review and termination or re-creation of the trust fund. Effective Date: July 1, 2006.

Calendar without reference

**SB 2346 by Crist** (Identical HB 5041)

**Federal Grants Trust Fund/FDLE;** creates Federal Grants Trust Fund within Department of Law Enforcement; provides for sources of funds & purposes; provides for future review & termination or re-creation of trust fund. Creates 943.366. Effective Date: 07/01/2006

Calendar without reference

**HB 5041 by Fiscal Council, Barreiro** (Identical SB 2346)

**Federal Grants Trust Fund;** Creates the Federal Grants Trust Fund within the Department of Law Enforcement; provides for sources of funds and purposes; provides for future review and termination or re-creation of the trust fund. Effective Date: July 1, 2006.

Calendar without reference

**CS for SB 2348 by Justice Appropriations, Crist** (Identical HB 5031)

**Operating TF/State Courts System;** directs that certain fees be deposited into said trust fund of state court system; creates said trust fund within state courts system; provides for sources of funds & purposes; provides for future review & termination or re-creation of trust fund, etc. Amends 25.241, 383, 29.0195, 35.22; creates 25.3844. Effective Date: 07/01/2006

Calendar without reference

**HB 5031 by Fiscal Council, Kottkamp** (Identical CS/SB 2348)

**Operating Trust Fund;** Creates the Operating Trust Fund within the state courts system; provides for sources of funds and purposes; provides for future review and termination or re-creation of the trust fund; conforms provisions; directs certain fees collected by the Clerk of the Supreme Court, the trial court administrator of each circuit, and the clerk of each district court and certain fees paid to the Supreme Court by court reporters to be deposited into the trust fund in lieu of another trust fund. Effective Date: July 1, 2006.

Calendar without reference

**SB 2350 by Crist** (Identical HB 5033)

**Federal Grants TF/State Court System;** creates Federal Grants Trust Fund within state courts system; provides for sources of funds & purposes; provides for future review & termination or re-creation of trust fund. Creates 25.3842. Effective Date: 07/01/2006

Calendar without reference

**HB 5033 by Fiscal Council, Kottkamp** (Identical SB 2350)

**Federal Grants Trust Fund;** Creates the Federal Grants Trust Fund within the state courts system; provides for sources of funds and purposes; provides for future review and termination or re-creation of the trust fund. Effective Date: July 1, 2006.

Calendar without reference

## 14. House Resolutions

## 15. Unfinished Business

**HB 217** by Legg, Anderson, Bilirakis, Cannon, Carroll, Flores, Homan, Kreegel, Robaina, Russell, Traviesa, Williams (Similar CS/SB 286, Compare CS/CS/SB 1980)

**Sinkhole Insurance;** Allows a deductible amount applicable to sinkhole losses in a policy for residential property insurance; defines the term "professional engineer"; revises references to certain engineers; authorizes insurers to make direct payment for certain repairs; excludes insurers from liability for repairs under certain circumstances; eliminates the requirement for certain testing compliance; revises requirements for sinkhole reports by professional engineers and professional geologists; provides for the recording of sinkhole reports by the clerk of court rather than the property appraiser; prescribes an alternative method for resolving disputed sinkhole insurance claims; provides definitions; prescribes procedures for invoking the alternative method; provides that a recommendation by a neutral evaluator is not binding on any party; provides for payments of costs; requires the insurer to pay attorney's fees of the policyholder up to a specified amount under certain conditions; provides that an insurer is not liable for attorney's fees or for certain damages under certain conditions; prohibits certain solicitations by contractors and other persons providing sinkhole remediation services; provides penalties; requires the Office of Insurance Regulation to calculate a certain presumed factor on residential property insurance rates; provides

requirements and procedures for determining such calculation; requires the office to provide notice of such rate factor to insurers; requires insurers to include such rate factor in certain rate filings; provides appropriations and authorizes additional positions and salary rates. Effective Date: July 1, 2006.

Read third time and amended May 2, amendment 5 (773863) pending

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**CS for CS for SB 716 & 2660** by Judiciary, Ethics and Elections, Posey, Rich, Wilson, Margolis, Aronberg (Compare HB 1525, HB 7221 CS, SB 2660)

**Campaign Finance;** (THIS BILL COMBINES S716 & S2660) redefines various terms; revises registration requirements for political committees & electioneering communications organizations; establishes campaign finance reporting requirements for certain officers & candidates soliciting contributions for certain committees & organizations; prohibits use of certain contributions received by said organization proximate to election, etc. Amends FS. Effective Date: 07/01/2006 except as otherwise provided

Read second time May 2, amendment 1 (374401) pending

## 16. Introduction and Reference

**HB 11 CS by Robaina, Flores, Garcia, Homan, Zapata** (Similar CS/SB 1536, Compare HB 317, CS/SB 600)

**Indoor Smoking Places;** Defines the term "person" for purposes of the Florida Clean Indoor Air Act; prohibits a proprietor or other person in charge of an enclosed indoor workplace from permitting smoking in that workplace; deletes obsolete provisions requiring that signs be posted in an enclosed indoor workplace; prohibits a vendor from permitting smoking in a licensed premises unless it is designated as a stand-alone bar; provides a penalty for a vendor who knowingly makes a false statement on an affidavit of compliance; deletes a provision requiring that a vendor operating a stand-alone bar certify to the Division of Alcoholic Beverages and Tobacco that it derives only a certain percentage of its gross revenue from the sale of food. Effective Date: July 1, 2006.

Business Regulation Committee: Favorable With Committee Substitute; State Administration Appropriations Committee: Favorable; Commerce Council: Favorable

**HB 119 CS by Zapata, Arza, Brandenburg, Bucher, Bullard, Fields, Flores, Garcia, Goldstein, Llorente, Planas, Quinones, Rivera, Robaina, Roberson, Ryan, Sansom** (Compare HB 795, HB 7257, CS/SB 366)

**Postsecondary Student Fees;** Provides conditions for reclassification as a resident for tuition purposes; requires that evidence be provided relating to legal residency and dependent status; provides duties of institutions of higher education; classifies as residents for tuition purposes certain employees of international multilateral organizations; provides an out-of-state fee exemption and eligibility criteria therefor; limits participation in the exemption program. Effective Date: July 1, 2006.

Colleges & Universities Committee: Favorable With Committee Substitute; Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable

**HB 137 CS by Mayfield, Zapata** (Identical SB 1658, Compare HB 7257)

**Awarding of Baccalaureate Degrees by Community Colleges;** Provides that community colleges that grant baccalaureate degrees remain under the authority of the State Board of Education with respect to specified responsibilities; provides that the board of trustees is the governing board for purposes of granting baccalaureate degrees; provides powers of the boards of trustees, including the power to establish tuition and out-of-state fees; requires policies relating to minimum faculty teaching hours per week; requires community colleges that offer baccalaureate degrees to maintain their primary mission and prohibits the termination of associate degree programs; removes authorization for St. Petersburg College to request funding as a university; removes requirement that baccalaureate degree program proposals be submitted to the Council for Education Policy Research and Improvement; provides requirements for the delivery of specified baccalaureate degree programs by a regionally accredited college or university at a community college site; provides guidelines and restrictions for setting tuition and out-of-state fees for upper-division courses; requires the State Board of Education to adopt a resident fee schedule for baccalaureate degree programs offered by community colleges; provides requirements for funding baccalaureate degree programs; provides state policy to limit state

support for recurring operating purposes to no more than a specified percentage of funding for certain state university programs; provides certain reporting and funding requirements; allows boards of trustees to request funding for all authorized programs; provides that enrollment in baccalaureate degree programs may be computed into the survey of need for facilities under certain conditions. Effective Date: July 1, 2006.

Community Colleges & Workforce Committee: Favorable; Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable

**HB 141 CS by Adams, Allen, Arza, Barreiro, Baxley, Bendross-Mindingall, Berfield, Bilirakis, Brandenburg, Bullard, Cannon, Carroll, Clarke, Culp, Davis, M., Domino, Farkas, Fields, Flores, Galvano, Gannon, Garcia, Gelber, Gibson, A., Gibson, H., Goldstein, Grimsley, Harrell, Hays, Holloway, Hukill, Jennings, Jordan, Justice, Kendrick, Kreegel, Legg, Llorente, Lopez-Cantera, Machek, McInvale, Patterson, Planas, Porth, Proctor, Rice, Rivera, Robaina, Roberson, Sands, Sansom, Slosberg, Sobel, Stansel, Taylor, Traviesa, Vana, Williams, Zapata** (Compare SB 346)

**Workers' Compensation for First Responders;** Provides a definition of the term "first responder"; provides a standard of proof for certain injuries and diseases in certain workers' compensation claims; provides that certain adverse results and complications are injuries by accident arising out of employment; provides for the continuation of permanent total supplemental benefits for certain first responders; provides a definition of the term "occupational disease"; provides legislative findings. Effective Date: October 1, 2006.

State Administration Appropriations Committee: Favorable; Domestic Security Committee: Favorable; Insurance Committee: Favorable With Committee Substitute; Fiscal Council: Favorable

**CS for CS for SB 142 by Government Efficiency Appropriations, Communications and Public Utilities, Fasano, Argenziano, Klein** (Compare HB 817, HB 1191 CS, CS/CS/SB 1542, CS/SB 1544)

**Telecommunications/Price Regulation;** allows telecommunications company to publicly publish price lists for nonbasic services; provides additional authority to Public Counsel, including authority to provide legal representation to, & appear on behalf of, state & its political subdivisions as consumers of communications services & utility services, to receive, investigate, & take legal action upon complaints involving said services not within jurisdiction of PSC, etc. Amends FS. Effective Date: Upon becoming law

Calendar without reference

**HB 197 CS by Hays** (Compare SB 420)

**Preinsurance Inspection of Private Passenger Motor Vehicles;** Provides for a voluntary preinsurance inspection of motor vehicles by an insurer; authorizes private passenger motor vehicle insurance companies to require a preinsurance inspection of a motor vehicle as a condition of issuing physical damage coverage; deletes provisions relating to required inspections. Effective Date: upon becoming a law.

Insurance Committee: Favorable; Commerce Council: Favorable With Committee Substitute

**HJR 213 CS by Brummer, Arza, Flores, Goldstein, Hasner, Traviesa** (Compare SJR 532)

**Authorizing the Division of a School District into Two or More School Districts;** Proposes an amendment to s. 4, Art. IX of the State Constitution to provide that school districts may be divided into two or more school districts, each having no fewer than 25,000 students, as provided by law and upon a vote of the county's electors; to provide that school district taxes shall be imposed countywide and distributed to the school districts in an equitable and nondiscriminatory manner as provided by law; and to provide that the rate of school district taxes shall be determined by a board consisting of an equal number of school board members from each school district in the county as provided by law.

PreK-12 Committee: Favorable; Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable With Committee Substitute

**HB 229 CS by Clarke, Altman, Domino, Machek, Patterson, Williams** (Similar CS/SB 2708)

**Exploration, Production, and Storage of Petroleum and Natural Gas;** Directs the Department of Environmental Protection to contract for a study of exposure risks and potential adverse effects of hurricane wind and storm surge on field-erected aboveground storage tank systems at bulk product facilities; provides requirements for the scope of the study; provides an appropriation from the Inland Protection Trust Fund for the cost of the study; directs the department to compile and review existing data and information relating to environmental risks associated with oil and natural gas exploration and production in the eastern Gulf of Mexico; provides requirements and criteria for the evaluation of such risks; requires the department to submit a report to the Governor and the Legislature. Effective Date: upon becoming a law.

Water & Natural Resources Committee: Favorable With Committee Substitute; Environmental Regulation Committee: Favorable; Agriculture & Environment Appropriations Committee: Favorable; State Resources Council: Favorable

**HB 267 CS by Bogdanoff, Davis, M., Zapata** (Similar SB 268, Compare HB 7079, CS/CS/SB 1742)

**Driver License Services;** Directs the Department of Highway Safety and Motor Vehicles to study outsourcing its driver license services; requires that the department submit a report to the Governor and Legislature by a specified date; provides requirements for the department with respect to issues to be included in the study; requires a cost-benefit analysis and a transition and implementation plan; provides for the collection of driver license renewal service charges by authorized driver's license agents; revises legislative intent provisions to include references to county constitutional officers providing driver license services; authorizes the department to contract with any county constitutional officer for driver license services in counties in which the tax collector is not elected or does not provide such services. Effective Date: upon becoming a law.

Transportation Committee: Favorable With Committee Substitute; Local Government Council: Favorable; Transportation & Eco-

nomics Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable

**HB 297 CS by Harrell, Porth** (Identical CS/SB 2296)

**Driving and Boating Under the Influence;** Provides for applicability of sanctions; requires a specified period of imprisonment for a fourth or subsequent conviction of driving under the influence; prohibits substitution of treatment alternatives in certain circumstances; requires impoundment or immobilization of all vehicles owned by the defendant for a specified period; provides for dismissal of an impoundment order; requires records of judgments of guilty to include fingerprints and social security numbers; requires a specified period of imprisonment for a fourth or subsequent conviction of boating under the influence; prohibits substitution of treatment alternatives in certain circumstances; requires impoundment or immobilization of the vessel operated by or in the actual control of the defendant or any one vehicle registered in the defendant's name at the time of impoundment or immobilization for a specified period; provides for dismissal of an order of impoundment or immobilization under certain circumstances upon request of an owner who was not operating the vessel; provides for dismissal of an impoundment order; requires records of judgments of guilty to include fingerprints and social security numbers; provides applicability. Effective Date: October 1, 2006, and shall apply to offenses committed on or after that date.

Criminal Justice Committee: Favorable With Committee Substitute; Transportation Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

**SB 346 by Alexander** (Compare HB 141 CS)

**Workers' Comp./First Responders;** provides definition of term "first responder"; provides standard of proof for first responders with injury or disease caused by exposure to toxic substance; provides that any adverse result or complication re smallpox vaccinations is injury by accident arising out of employment for first responders; provides for continuation of permanent total supplemental benefits after age 62 for certain first responders, etc. Creates 112.1815. Effective Date: Upon becoming law

Calendar without reference

**HB 403 CS by McInvale** (Compare HB 7087, CS/CS/SB 772, CS/CS/SB 2048, SB 2576)

**School Attendance;** Authorizes district school board attendance policies to allow accumulated tardies and early departures to be recorded as unexcused absences; authorizes district school board policies for student referral to a child study team under certain circumstances; provides that students who have attained 16 years of age and have not graduated are subject to compulsory school attendance under certain circumstances; requires student exit interviews prior to terminating school enrollment; provides district school superintendent's responsibility to support local law enforcement agencies in enforcing school attendance; provides required and authorized child study team interventions; authorizes visits by school representatives. Effective Date: July 1, 2006.

PreK-12 Committee: Favorable With Committee Substitute; Juvenile Justice Committee: Favorable; Education Appropriations Committee: Favorable; Education Council: Favorable

**HB 519 CS by Kravitz** (Compare SB 960)

**Internet Screening in Public Libraries;** Defines terms; requires public libraries to provide technology that protects against Internet access to specified proscribed visual depictions; allows adults to request disablement of the technology for specified purposes; prohibits a public library from maintaining a record of adults who request such disablement; requires a public library to post notice of its Internet safety policy; directs the Division of Library and Information Services within the Department of State to adopt rules requiring a written attestation of compliance as a condition of state funding; provides a cause of action is not authorized for a violation by a public library. Effective Date: October 1, 2006.

Civil Justice Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; Justice Council: Favorable

**HM 539 by Harrell, Sands**

**Indian River Lagoon Restoration Project and the Lake Okeechobee and Estuary Recovery Plan;** Urges the President and Congress to promptly enact legislation to authorize funding to construct the Indian River Lagoon Restoration Project and the development of a comprehensive plan to assist in the implementation of the Lake Okeechobee and Estuary Recovery Plan.

Water & Natural Resources Committee: Favorable; Local Government Council: Favorable; State Resources Council: Favorable

**HB 577 CS by Garcia, Bullard** (Compare CS/SB 1000)

**Medicaid;** Authorizes the Agency for Health Care Administration to implement a federal waiver to administer an integrated, fixed-payment delivery system for Medicaid recipients; provides applicability; requires the Agency for Health Care Administration to establish a comprehensive geriatric fall prevention program for certain Medicaid recipients; directs the agency to develop the program as an expansion of a certain pilot project conducted in Miami-Dade County; requires the agency to evaluate the program and report to the Legislature; requires a plan and timetable for statewide implementation contingent upon certain findings; specifies a timeframe for implementing a certain form of reimbursement; provides that the act shall take effect contingent upon an appropriation. Effective Date: July 1, 2006; however, section 2 shall take effect only if a specific appropriation to implement the Medicaid comprehensive geriatric fall prevention program as created in s. 409.91212, Florida Statutes, in this act is made in the General Appropriat

Elder & Long-Term Care Committee: Favorable; Health Care Appropriations Committee: Favorable With Committee Substitute; Health & Families Council: Favorable With Committee Substitute

**HB 581 by Cretul, Arza, Baxley, Bean, Davis, D., Davis, M., Hays, Kravitz, Kreegel, Poppell, Sansom, Stansel, Stargel, Zapata** (Identical SB 1796)

**Public Benefits;** Prohibits funding for benefits granted under the state group insurance program from being used to provide benefits for any individuals other than enrollees and the spouses and dependent children of enrollees; prohibits community college boards of trustees and university boards of trustees from establishing benefits programs that use state funding to provide benefits for any individuals other than enrollees and the spouses and dependent children of enrollees. Effective Date: July 1, 2006.

Governmental Operations Committee: Favorable; Fiscal Council: Favorable; State Administration Council: Favorable

**HB 621 CS by Grimsley, Detert, Hays, Kreegel, Legg** (Compare HB 805, SB 94)

**Fiscal Intermediary Services Organizations;** Redefines the term "fiscal intermediary services organization"; revises registration requirements for fiscal intermediary services organizations. Effective Date: October 1, 2006.

Health Care General Committee: Favorable; Insurance Committee: Favorable With Committee Substitute; Health & Families Council: Favorable

**HB 627 CS by Brummer** (Similar SB 538)

**License Plates;** Requires a driver whose driving privileges are restricted because of a conviction related to driving under the influence to have a DUI plate on any vehicle that he or she operates; provides for the Department of Highway Safety and Motor Vehicles to develop such a plate; provides requirements for such a plate; provides an annual surcharge for the plate; provides for the use of such surcharge; requires that a person whose driving privilege has been revoked under a specified provision only be granted restricted driving privileges on the condition that he or she operates only a vehicle that displays a DUI license plate. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Transportation Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; Justice Council: Favorable

**HB 665 by Troutman, Attkisson, Baxley, Bogdanoff, Goldstein, Porth, Ross, Sobel, Stargel, Traviesa**

**Florida Virtual School;** Establishes the Students Earning Additional Recovery Credits and Honors (SEARCH) Program to provide opportunities for students to recover credits needed for graduation or to earn honors course credit or other course credit; provides for payment for additional full-time equivalent student credit to the extent funded in the General Appropriations Act; provides eligibility requirements for participation by a school district operating a virtual school that is an approved franchise of the Florida Virtual School; provides for use of funds; provides a limitation on school district funding. Effective Date: July 1, 2006.

Choice & Innovation Committee: Favorable; Education Appropriations Committee: Favorable; Education Council: Favorable

**HB 679 CS by Sobel, Carroll, Garcia, Gottlieb, Homan, Meadows, Peterman, Porth, Richardson, Ryan, Zapata** (Similar CS/CS/SB 2602)

**Health-Related Education in the Public Schools;** Requires each school district to submit to the Department of Education copies of the district's school wellness policy and physical education policy and review the policies annually; requires the department and school districts to post links to the policies on their websites; requires the department to provide website links to certain resources; encourages school districts to provide training in first aid; requires that school district physical education programs and curricula be reviewed by a certified physical education instructor; encourages school districts to provide physical education for a specified amount of time; requires schools to annually provide



parents and guardians with certain health-related information; provides requirements relating to school health advisory committees. Effective Date: July 1, 2006.

PreK-12 Committee: Favorable With Committee Substitute; Health Care General Committee: Favorable; Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable

**HB 691 CS by Negron, Baxley, Carroll, Clarke, Davis, D., Goldstein, Hasner, Kottkamp, Needelman, Russell, Troutman** (Compare SB 1404)

**Tax on Sales, Use, and Other Transactions;** Provides for noncollection of the tax on a portion of the sales price of specified transactions during a specified period of time; authorizes the Department of Revenue to adopt rules; provides appropriations. Effective Date: upon becoming a law.

Finance & Tax Committee: Favorable With Committee Substitute; Fiscal Council: Favorable With Committee Substitute

**HB 753 CS by Rivera, McInvale, Roberson, Zapata** (Identical CS/SB 1268, Compare CS/CS/SB 132)

**Deferral of Ad Valorem Property Taxes;** Decreases the age and increases the income threshold required for eligibility to defer ad valorem property taxes; decreases the maximum interest rate that may be charged on deferred ad valorem taxes. Effective Date: July 1, 2006.

Finance & Tax Committee: Favorable With Committee Substitute; Local Government Council: Favorable; Fiscal Council: Favorable

**HB 773 CS by Goodlette, Carroll, Hasner, Troutman** (Similar CS/SB 720, Compare SB 1244)

**Initiative Procedures and Standards;** Revises requirements for verification of signatures on petitions; provides requirements for initiative sponsors filing for undue burden; provides procedures to contest alleged improper signature verification; repeals provisions relating to procedures for placement of initiatives on the ballot; revises procedures for placing an initiative on the ballot; provides requirements for information to be contained on petitions; provides procedure for revocation of a petition signature; requires a statement on the ballot regarding the financial impact statement; provides regulation for initiative petition circulators and their activities; repeals provisions relating to referenda and ballots; provides for verifying and counting signatures submitted for verification before the effective date of the act. Effective Date: August 1, 2006.

Ethics & Elections Committee: Favorable; Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; State Administration Council: Favorable

**HB 791 CS by Fields, Joyner, Sansom** (Compare HB 121, CS/SB 254, SB 1738)

**Road Designations;** Designates Ms. Eddie Mae Steward Avenue, Dr. Mary L. Austin Jones Avenue, Mrs. Flossie Brunson Avenue, Dr. Robert L. Brown, Sr., Highway, and Ms. Barbara Van Blake Parkway in Duval County; designates Ms. MaVynee "The Beach Lady" Betsch Highway in Nassau County; designates Brian D. Little Road in Okaloosa County; designates John Land Apopka

Expressway in Orange County; revises designation of Toussaint L'Ouverture Boulevard in Miami-Dade County; designates Reverend Gerard Jean-Juste Boulevard in Miami-Dade County; directs the Department of Transportation to erect suitable markers. Effective Date: July 1, 2006.

Transportation Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; State Infrastructure Council: Favorable

**HB 809 CS by Taylor, Bendross-Mindingall, Joyner, Porth, Roberson, Sands, Sobel** (Compare SB 1992)

**Assault or Battery on Homeless Persons;** Reclassifies offenses evidencing prejudice based on the homeless status of the victim; provides a minimum sentence and other penalties for a person convicted of an aggravated assault or aggravated battery upon a homeless person. Effective Date: October 1, 2006.

Criminal Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable With Committee Substitute; Justice Council: Favorable With Committee Substitute

**HB 839 CS by Kottkamp, Anderson, Baxley, Davis, D., Garcia, Grant, Robaina, Ross, Zapata** (Similar HB 391, CS/SB 2358, Compare HB 957 CS, SB 546, SB 2530)

**Community Associations;** Provides for the revival of certain covenants that have lapsed; prohibits local ordinances that limit the access of certain persons to beaches that adjoin condominiums; revises provisions relating to the amendment of declarations; provides legislative findings and a finding of compelling state interest; provides criteria for consent to an amendment; requires notice regarding proposed amendments to mortgagees; provides criteria for notification; provides for voiding certain amendments; revises the implementation date for retrofitting of common areas with a sprinkler system; provides that certain leaseholds, memberships, or other possessory or use interests shall be considered a material alteration or substantial addition to certain real property; provides retroactive application of provisions relating to mixed-use condominiums; provides a definition; prohibits laws, ordinances, or regulations that apply only to improvements that are or may be subjected to an equity club form of ownership; revises governing provisions relating to corporations that operate residential homeowners' associations; revises provisions relating to open meetings of the association; revises application to include certain meetings; requires the association to provide certain information to prospective purchasers or lienholders; authorizes the association to charge a reasonable fee for providing certain information; requires the budget to provide for annual operating expenses; authorizes the budget to include reserve accounts for capital expenditures and deferred maintenance; provides a formula for calculating the amount to be reserved; authorizes the association to adjust replacement reserve assessments annually; authorizes the developer to vote to waive the reserves or reduce the funding of reserves for a certain period; revises provisions relating to financial reporting; revises time periods in which the association must complete its reporting; repeals a provision relating to board meetings, to remove conflicting versions of that subsection; provides for architectural control covenants and parcel owner improvements; authorizes the review and approval of plans and specifications; provides limitations; provides rights and privileges for parcel owners as set forth in the declaration of covenants; provides that, where a member is entitled to collect attorney's fees against the association, the

member may also recover additional amounts as determined by the court; provides that certain mergers or consolidations of an association shall not be considered a material or adverse alteration of the proportionate voting interest appurtenant to a parcel; requires developers to deliver financial records to the board in any transition of association control to members; requires certain information to be included in the records and for the records to be prepared in a specified manner; provides circumstances under which a guarantee of common expenses shall be effective; provides for approval of the guarantee by association members; provides for a guarantee period and extension thereof; requires the stated dollar amount of the guarantee to be an exact dollar amount for each parcel identified in the declaration; provides payments required from the guarantor to be determined in a certain manner; provides a formula to determine the guarantor's total financial obligation to the association; provides that certain expenses incurred in the production of certain revenues shall not be included in the operating expenses; revises provisions relating to dispute resolution; provides that the filing of any petition for arbitration or the serving of an offer for presuit mediation shall toll the applicable statute of limitations; provides that certain disputes between an association and a parcel owner shall be subject to presuit mediation; revises provisions to conform; provides that temporary injunctive relief may be sought in certain disputes subject to presuit mediation; authorizes the court to refer the parties to mediation under certain circumstances; requires the aggrieved party to serve on the responding party a written offer to participate in presuit mediation; provides a form for such offer; provides that service of the offer is effected by the sending of such an offer in a certain manner; provides that the prevailing party in any subsequent arbitration or litigation proceedings is entitled to seek recovery of all costs and attorney's fees incurred in the presuit mediation process; requires the mediator or arbitrator to meet certain certification requirements; removes a requirement relating to development of an education program to increase awareness of the operation of homeowners' associations and the use of alternative dispute resolution techniques. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable With Committee Substitute;  
Judiciary Committee: Favorable With Committee Substitute;  
Economic Development, Trade & Banking Committee: Favorable  
With Committee Substitute; Justice Council: Favorable

**HB 889 CS by Machek** (Compare HB 1039, CS/CS/SB 1306)

**Fran Reich Preserve;** Designates the Site 1 Impoundment project of the Comprehensive Everglades Restoration Plan sponsored by the South Florida Water Management District as the Fran Reich Preserve; directs the South Florida Water Management District to erect suitable markers. Effective Date: July 1, 2006.

Water & Natural Resources Committee: Favorable With Committee Substitute; Agriculture & Environment Appropriations Committee: Favorable; State Resources Council: Favorable

**HB 891 by Goldstein, Rivera, Robaina** (Similar SB 1592)

**Local Occupational License Taxes;** Updates provisions authorizing reclassification and new rate structure revisions to local occupational license taxes by ordinance; deletes counties from such authorization provisions; authorizes decreasing local occupational license tax rates; provides construction with respect to decreasing or repealing such taxes. Effective Date: upon becoming a law.

Local Government Council: Favorable; Finance & Tax Committee: Favorable; Fiscal Council: Favorable

**HB 957 CS by Anderson** (Compare HB 391, HB 839 CS, SB 546, CS/SB 2358, SB 2530)

**Community Associations;** Authorizes certain associations to revive lapsed covenants; provides that certain leaseholds, memberships, or other possessory or use interests shall be considered a material alteration or substantial addition to certain real property; revises application; authorizes associations to charge specified fees for providing certain information to prospective purchasers or lienholders; limits liability for providing such information; revises what must be included in an association's annual budget; provides for reserve accounts for capital expenditures and deferred maintenance; revises certain time requirements relating to annual reports of associations; provides that certain mergers or consolidations do not alter specified voting interests; provides additional documents that the developer must deliver at the time the association members elect the board of directors; provides that a guarantee of common expenses shall be effective under certain circumstances; requires the guarantee to meet certain requirements; authorizes the guarantee to provide certain requirements; requires the stated dollar amount of the guarantee to be an exact dollar amount for each parcel identified in the declaration; provides payments required from the guarantor to be determined in a certain manner; provides a formula to determine the guarantor's total financial obligation to the association; provides that certain expenses incurred in the production of certain revenues shall not be included in the operating expenses; revises provisions relating to publication of false or misleading information to clarify that such provisions do not limit common-law rights. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable With Committee Substitute;  
State Administration Appropriations Committee: Favorable With Committee Substitute; Justice Council: Favorable

**HB 971 by Sobel, Brutus, Henriquez, Sands, Slosberg**  
(Identical SB 2810, Compare HB 343, SB 1314)

**Broward County;** Creates the Broward County Council for Services for Seniors as an independent special district to provide funding for services for seniors; authorizes ad valorem taxation and provides a millage cap; provides for a governing board for the district; specifies the powers and duties of the council; requires that all tax moneys collected be paid directly to the council by the Broward County Tax Collector and deposited in qualified public depositories; provides that the district may be amended or dissolved by a special act of the Legislature; authorizes the Broward County Board of County Commissioners to fund the budget of the council from its own funds after or during the council's first year of operation; requires the district to comply with statutory requirements related to the filing of a financial or compliance report; authorizes the district to seek grants and accept donations from public and private sources; requires a referendum. Effective Date: only upon approval by a majority vote of those qualified electors of Broward County voting in a referendum election to be called by the Broward County Board of County Commissioners and held in conjunction with the primary election held on September

Local Government Council: Favorable; Elder & Long-Term Care Committee: Favorable; Fiscal Council: Favorable

**HB 973 CS by Sobel** (Identical SB 2840)

**South Broward Drainage District, Broward County;** Amends the amount for which advertisement for bids is required for the procurement by the district of contractual services and purchase of

goods, supplies, and materials to comply with state statutory requirements; provides for recording of the act; provides severability. Effective Date: upon becoming a law.

Local Government Council: Favorable With Committee Substitute

#### **HB 979 CS by Seiler** (Compare SB 490)

**Property Tax Administration;** Requires the Department of Revenue to notify specified local government officers of the availability on request of department findings regarding department review of the county tax assessment roll; requires the department to provide a copy of such findings to a requesting party within a time certain. Effective Date: July 1, 2006.

Local Government Council: Favorable With Committee Substitute;  
Finance & Tax Committee: Favorable; Fiscal Council: Favorable

#### **HB 995 CS by Bean** (Similar CS/CS/SB 1632)

**Agency Inspectors General;** Creates the Council on State Agency Inspectors General; provides for the purpose and membership of the council; provides duties and responsibilities of the council; requires the council to hold meetings at least monthly; authorizes the council to develop recommendations relating to inspector general investigations; provides minimum requirements for the recommendations developed by the council; provides administrative support for the council; requires the council to issue a report on its findings; provides for future repeal. Effective Date: July 1, 2006.

Governmental Operations Committee: Favorable; Fiscal Council: Favorable; State Administration Council: Favorable With Committee Substitute

#### **HB 1059 by Rivera, Lopez-Cantera** (Similar SB 2706)

**Deduction and Collection of a Bargaining Agent's Dues and Uniform Assessments;** Eliminates a right of certain bargaining agents to have certain dues and assessments deducted and collected by an employer from certain employees; provides legislative findings and intent; provides that the deduction and collection of certain dues and assessments is a proper subject of collective bargaining; provides requirements and limitations; provides for accounting of funds; provides for enforcement. Effective Date: July 1, 2006.

Governmental Operations Committee: Favorable; State Administration Council: Favorable

#### **HB 1107 CS by Jennings, Bullard, Sansom** (Similar SB 1664, Compare CS/SB 254)

**Road Designations;** Designates Rosa Parks Memorial Highway in Marion, Alachua, and Bradford Counties; directs the Department of Transportation to erect suitable markers. Effective Date: July 1, 2006.

Transportation Committee: Favorable; Transportation & Economic Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable With Committee Substitute

#### **HB 1193 CS by Kottkamp** (Identical CS/SB 2468)

**Driving Under the Influence;** Provides a short title; provides that, if a person drives under the influence of alcohol or a specified chemical or controlled substance and causes damage to property or

person, serious bodily injury, or death to another human being or unborn quick child, a rebuttable presumption is created that the person caused or contributed to causing damage to property or person, serious bodily injury, or death to another human being or unborn quick child; provides that, if a person drives under the influence of alcohol or a specified chemical or controlled substance, a rebuttable presumption is created that the person operated a motor vehicle in a reckless manner likely to cause death or great bodily harm to another human being. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Transportation Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

#### **HB 1293 CS by Grant, Homan** (Similar SB 2160)

**Medical Malpractice Insurance;** Creates the Patient Safety and Provider Liability Act; requires hospitals that assume liability for acts of medical negligence under the act to carry insurance; authorizes an eligible hospital to petition the Agency for Health Care Administration to enter an order certifying the hospital as a patient-safety facility; provides requirements for certification as a patient-safety facility; authorizes the agency to enter an order certifying a hospital as a patient-safety facility and provides that the hospital bears liability for acts of medical negligence for its health care providers or an agent of the hospital; authorizes the agency to conduct onsite examinations of a licensed facility; provides circumstances when the agency may revoke its order certifying approval of an enterprise plan; requires a certified patient-safety facility to submit an annual report to the agency and the Legislature; authorizes certain teaching hospitals and eligible hospitals to petition the agency for certification; provides for limitations on damages for eligible hospitals that are certified for compliance with certain patient-safety measures. Effective Date: upon becoming a law.

Health Care Regulation Committee: Favorable With Committee Substitute; Health & Families Council: Favorable With Committee Substitute

#### **HB 1315 CS by Russell, Waters** (Compare HB 301 CS, HB 1115, HB 7077 CS, CS/SB 1350, SB 2078, CS/SB 2632)

**Transportation;** Revises the maximum amount of bonds that are available for turnpike projects; provides for the imposition by countywide referendum of an additional surcharge on the lease or rental of a motor vehicle; provides for the proceeds to be used for the construction and maintenance of state roads; revises provisions relating to the South Florida Regional Transportation Authority; provides pledge to bondholders that the state will not alter certain rights; revises provisions for funding of the authority. Effective Date: July 1, 2006.

Transportation Committee: Favorable; Fiscal Council: Favorable; State Infrastructure Council: Favorable With Committee Substitute

#### **HB 1341 by Joyner, Seiler** (Similar SB 2190)

**Fiduciary Lawyer-Client Privilege;** Provides that a client acts as a fiduciary when serving in specified positions; provides that a communication between a lawyer and a client acting as a fiduciary is privileged and protected from disclosure; provides construction in application. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable; Justice Council: Favorable

**HB 1345 CS by Littlefield, Seiler** (Compare CS/CS/CS/SB 2490)

**Saltwater Fisheries;** Authorizes use of the Marine Resources Conservation Trust Fund to fund the stone crab reduction, blue crab effort management, spiny lobster trap certificate, and trap retrieval programs; requires proceeds from certain fees, fines, and penalties to be deposited in the Marine Resources Conservation Trust Fund; authorizes the Fish and Wildlife Conservation Commission to waive or defer replacement tag fees under certain circumstances; establishes certain endorsement fees for the taking of blue crabs; establishes an annual trap tag fee; authorizes the commission to waive or defer replacement tag fees under certain circumstances; requires the deposit of certain proceeds into the Marine Resources Conservation Trust Fund; specifies the use of such proceeds; requires the commission to waive endorsement and tag fees for certain program participants; provides administrative penalties for certain violations; prohibits the unauthorized possession of trap gear or removal of trap contents and provides penalties therefor; provides penalties for certain other prohibited activities relating to traps, lines, buoys, and trap tags; provides penalties for fraudulent reports related to endorsement transfers; prohibits certain activities during endorsement suspension and revocation; preserves state jurisdiction for certain convictions; provides requirements for certain license renewal; appropriates certain fee revenues to the commission for blue crab effort management program costs; requires the commission to create an advisory board; authorizes the commission to waive or defer replacement tag fees under certain circumstances; provides administrative penalties for certain violations of the spiny lobster trap certificate program; revises provisions for certain trap retrieval programs and fees; provides a recurring appropriation. Effective Date: July 1, 2006.

Water & Natural Resources Committee: Favorable; Agriculture & Environment Appropriations Committee: Favorable With Committee Substitute; State Resources Council: Favorable With Committee Substitute

**HB 1357 CS by Altman** (Similar CS/SB 1194, Compare HB 683)

**Growth Management;** Provides for the creation of interlocal service boundary agreements by a county and one or more municipalities or independent special districts; specifies the procedures for initiating an agreement and responding to a proposal for agreements; requires local governments that are a party to the agreement to amend their comprehensive plans; provides limitations on the review of local ordinances by the state land planning agency; specifies those persons who may challenge a plan amendment required by the agreement; provides for adoption of an interlocal service boundary agreement; provides prerequisites to annexation; provides for the effect of an interlocal service boundary area agreement on the parties to the agreement; authorizes a municipality to provide services within an unincorporated area or territory of another municipality; authorizes a county to exercise specified powers within a municipality; provides a procedure to settle a dispute regarding an interlocal service boundary agreement; provides for a cause of action to invalidate an annexation; requires municipalities to provide notice of proposed annexation to specified persons; provides for a cause of action to invalidate an annexation. Effective Date: upon becoming a law.

Local Government Council: Favorable; Growth Management Committee: Favorable With Committee Substitute; State Infrastructure Council: Favorable

**HB 1395 CS by Sorensen, Glorioso** (Similar CS/SB 224)

**Traffic Safety;** Creates the "Road Rage Reduction Act"; prohibits a person from operating a motor vehicle in the most left-hand lane under described circumstances; provides penalties for violations; redefines the term "aggressive careless driving"; provides penalties for aggressive careless driving; provides for distribution of certain fines collected; requires a hearing for a second or subsequent aggressive careless driving violation; requires the Department of Highway Safety and Motor Vehicles to provide an educational awareness campaign. Effective Date: July 1, 2006.

Transportation Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable With Committee Substitute

**HB 1419 by Attkisson**

**Scuba Diving Instructional Facilities;** Provides that certain scuba diving instructional facilities are not under the jurisdiction or purview of the Commission for Independent Education and are not required to obtain licensure. Effective Date: July 1, 2006.

Community Colleges & Workforce Committee: Favorable; Education Appropriations Committee: Favorable; Education Council: Favorable

**HB 1457 CS by Lopez-Cantera** (Similar CS/SB 1398)

**Youth Custody Officers;** Provides that youth custody officers may file criminal charges and gather evidence; provides that youth custody officers have the authority and powers of law enforcement officers, subject to specified exceptions, while in the performance of their duties; requires youth custody officers to be certified as law enforcement officers. Effective Date: July 1, 2006.

Juvenile Justice Committee: Favorable With Committee Substitute; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable

**HB 1495 by Arza** (Identical SB 2536)

**Marriage Licenses;** Deletes provisions authorizing the court to issue a marriage license upon the sworn application that both minor applicants are the parents of a child or the expectant parents of a child; deletes provisions authorizing the court to issue a marriage license upon written verification by a physician and sworn application that the minor female applicant is an expectant parent; provides, as a result, that no license to marry shall be granted to any person under the age of 16 years, with or without the consent of the parents. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable; Future of Florida's Families Committee: Favorable; Justice Council: Favorable

**HB 1561 CS by Brummer, Carroll, Harrell, Hays, Homan, Murzin** (Similar SB 2686)

**Medical Negligence Litigation;** Requires the Board of Medicine and the Board of Osteopathic Medicine, respectively, to issue expert witness certificates to out-of-state-licensed physicians who meet specified criteria; provides requirements for certification; requires the boards to implement rules and set fees; provides that fraudulent, deceptive, or misleading expert witness testimony is grounds for disciplinary action; provides penalties; revises criteria

for prevailing professional standards of care for health care providers in specified actions; provides that medical expert testimony is not admissible unless the expert witness meets specified requirements; requires claimants in medical negligence litigation to conduct a presuit investigation of each named prospective defendant. Effective Date: October 1, 2006.

Health Care General Committee: Favorable With Committee Substitute; Health & Families Council: Favorable With Committee Substitute

**HJR 1573 CS by Rubio, Altman, Murzin, Traviesa** (Similar CS/CS/CS/SJR 2170, Compare HJR 447, HJR 467, CS/SJR 1150)

**Equal Opportunity to Obtain a High Quality Education;**

Proposes the creation of s. 8, Art. IX of the State Constitution to provide that every child deserves an equal opportunity to obtain a high quality education, regardless of his or her family's income, religion, or race; to provide that funding for a high quality public K-12 education through classroom instruction is fundamental; to provide that to make adequate provision for a high quality public K-12 education, the Legislature shall ensure that funding provided for public schools shall primarily be used for classroom instruction rather than administration; to provide that classroom instruction and administration shall be defined by law; to provide that students in prekindergarten through college who have disabilities, are economically disadvantaged, or meet other legislatively specified criteria may participate, as provided by law, in education programs that include nonpublic schools; to provide that the Legislature may enact and publicly fund prekindergarten through college education programs, without regard to the religious nature of any participant or nonpublic provider, notwithstanding any other provision of this Article or the last sentence of Section 3 of Article I of the State Constitution; and to provide that this amendment to the State Constitution does not establish a right to an education program that is not provided by law.

Choice & Innovation Committee: Favorable With Committee Substitute; Education Appropriations Committee: Favorable; Education Council: Favorable With Committee Substitute

**HB 1577 by Brandenburg** (Identical SB 1964)

**Personal Identification Information;** Prohibits willful, fraudulent, and unauthorized use of personal identification information concerning an individual who is 65 years of age or older without consent; provides penalties; prohibits a person in the relationship of adult child or legal guardian, or who otherwise exercises custodial authority over an individual who is 65 years of age or older, from wilfully and fraudulently using personal identification information of that individual; provides penalties. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable

**HB 7077 CS by Transportation Committee, Glorioso** (Compare HB 139, HB 207, HB 301 CS, HB 683, HB 1115, HB 1117, HB 1315 CS, HB 7189 CS, HB 7253, SB 564, CS/CS/SB 954, CS/SB 1350, CS/CS/SB 1766, SB 2076, CS/CS/SB 2300, CS/CS/SB 2312, CS/SB 2548, CS/SB 2632, SB 2702)

**Transportation;** Provides that the salary and benefits of the executive director of the Florida Transportation Commission shall be set in accordance with the Senior Management Service; authorizes metropolitan planning organizations and certain separate entities to establish per diem and travel reimbursement rates;

provides for metropolitan planning organizations to participate in the Florida Retirement System; renames the Charter County Transit System Surtax as the Charter County Transportation System Surtax; provides for approval by initiative petition; revises provisions for uses of the proceeds; deletes once-a-year limitation on use of funds from the local government infrastructure surtax for issuance of bonds; provides for a County Transportation System Surtax; provides for the imposition by countywide referendum of an additional surcharge on the lease or rental of a motor vehicle; revises Department of Transportation's requirement to share a certain costs of fixed-guideway system projects; revises criteria for an interlocal agreement to establish bond financing for fixed-guideway system projects; revises provisions for the Florida Seaport Transportation and Economic Development Council program to fund certain dredging projects; provides height and placement requirements for vehicle license plates; prohibits display that obscures identification of the letters and numbers on a license plate; revises procedures for disposition of citations issued for failure to pay toll; revises penalties for failure to pay a prescribed toll; provides for suspension of a driver's license; prohibits interfering with the legibility, angular visibility, or detectability of any feature or detail on a license plate or interfering with the ability to photograph or otherwise record any feature or detail on a license plate; prohibits advertising, sale, distribution, purchase, or use of any product made for such purpose; provides for the Attorney General to file suit against any entity offering or marketing a product advertised as having the capacity to obstruct the visibility or electronic image recording of a license plate; revises provisions for distribution of revenue derived from registration of motor vehicles; revises provisions for distribution for purposes of funding certain seaport projects; removes certain restrictions on the issuance of bonds to refinance certain existing port bond issues; requires refunding bonds be issued by the Division of Bond Finance at the request of the Department of Transportation; specifies projects and criteria for funding; authorizes use of funds for certain financing purposes; authorizes DOT to provide funds for certain general aviation projects; extends timeframe that the department is authorized to provide operational and maintenance assistance to certain airports and may redirect the use of certain funds to security-related or economic-impact projects related to the events of September 11, 2001; adds gypsum to the list of materials authorized for use in certain demonstration projects; renames the Safe Paths to Schools program as the "Safe Routes to Schools Program"; revises requirements of the program; authorizes a clearinghouse to disseminate information and grants; provides for use of certain federal funds; deletes prohibition against local governments issuing certain bonds secured by revenues from local option fuel taxes more than once a year; provides criteria and procedures for the owner of property within a described road and bridge district to sever inclusion within the district; provides that certain construction projects be advertised for bids in local newspapers; authorizes the department to waive specified prequalification requirements for certain transportation projects under certain conditions; revises surety bond requirements for construction or maintenance contracts; provides for incremental annual surety bonds for multiyear maintenance contracts under certain conditions; revises the threshold for transportation projects eligible for a waiver of surety bond requirements; authorizes the department to provide for phased surety bond coverage or an alternate means of security for a portion of the contract amount in lieu of the surety bond; provides for the DOT and certain toll agencies to enter into agreements with public or private entities for additional uses of electronic toll collection products and services; authorizes feasibility studies by the department or a toll agency of additional uses of electronic toll devices for legislative consideration; changes the carry forward date on certain undisbursed Florida Turnpike Enterprise funds;

revises the maximum amount that may be carried forward; raising the limit on outstanding bonds to fund turnpike projects; revises metropolitan planning organization is a separate legal entity independent of entities represented on the M.P.O. and signatories to the agreement creating the M.P.O.; revises M.P.O. provisions relating to organization and membership; revises voting requirements for approval of certain plans, programs, and amendments; revises limitations on matching funds from the Transportation Regional Incentive Program; deletes a provision that provides for matching funds based on the nonfederal share of certain transportation facility project costs; provides certain incentives for certain private sector contributions to improve transportation facilities; provides for the contribution to be applied as a credit against transportation concurrency requirements; provides for use of State Infrastructure Bank loans for certain damaged transportation facilities in areas of a declared disaster; revises language relating to powers and duties of the South Florida Regional Transportation Authority; provides pledge to bondholders; revises provisions for funding of the authority; changes the name of the Tampa Bay Commuter Transit Authority to the "Tampa Bay Regional Transportation Authority"; revises membership provisions; adds Citrus County to the authority's jurisdictional boundary; provides for employees and advisory committees; specifies purposes of the authority; revises rights, powers and duties; authorizes the authority to construct, operate, and maintain transportation facilities; provides for application and effect of specified provisions; prohibits elected officials from serving on the Northwest Florida Transportation Corridor Authority; directs the authority to plan for and study the feasibility of constructing, operating, and maintaining a bridge or bridges, and appurtenant structures, spanning Choctawhatchee Bay or Santa Rosa Sound; authorizes the authority to construct, operate, and maintain said bridges and structures; revises the membership of expressway authority governing boards in certain counties; prohibits certain expressway authorities from contracting for lobbyist services; provides for public notice of a proposed toll increase by certain expressway authorities; authorizes a transportation authority, bridge authority, or toll authority to receive or solicit proposals and enter into agreements with private entities for certain transportation facility purposes; revises provisions for certain exemptions from the Florida Expressway Authority Act; authorizes the Orlando-Orange County Expressway Authority to waive payment and performance bonds on certain construction contracts; creates the "Osceola County Expressway Authority Law"; provides for membership, terms, organization, personnel, and administration; provides purposes and powers for construction, expansion, maintenance, improvement, and operation of the Osceola County Expressway System; directs the Florida Transportation Commission to conduct a study and to submit a report to the Governor and the Legislature; provides that certain property that is owned or leased by a railroad or railway company is not required to meet specified posting provisions in order for specified trespass provisions to apply; provides for certain alterations to and along Red Road in Miami-Dade County for transportation safety purposes; designates Brickell Avenue in the City of Miami; directs the city to make related address changes. Effective Date: July 1, 2006.

Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; State Infrastructure Council: Favorable With Committee Substitute

**HB 7157 by Economic Development, Trade & Banking Committee, Bilirakis, Gottlieb** (Compare HB 45 CS, CS/CS/SB 80)

**Fraudulent Use or Possession of Identifying Information;**

Creates pt. IV of ch. 668, F.S., the Anti-Phishing Act; prohibits specified acts relating to fraudulent use or possession of identifying information; authorizes civil actions for violations; provides for injunctive relief and damages; authorizes courts to increase awards of actual damages; provides for recovery of attorney fees and court costs; provides for jurisdiction and venue; provides for deposit of specified moneys received by the Attorney General into the Legal Affairs Revolving Trust Fund; authorizes the Department of Legal Affairs to adopt rules; provides for nonapplication to specified entities' good faith handling of identifying information; specifies absence of liability of an interactive computer service provider for actions taken to prevent violations of the act. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Commerce Council: Favorable

**HJR 7165 CS by Judiciary Committee, Simmons, Troutman** (Similar CS/SJR 1918)

**Obsolete, Erroneous, and Inconsistent Provisions; Preservation of Certain Constitutional Provisions as Statutes;** Proposes a revision of the whole State Constitution to delete obsolete provisions and correct errors in spelling, punctuation, and grammar, inconsistencies in wording and style, and other technical issues and to repeal specified provisions and preserve them in statute.

Justice Council: Favorable With Committee Substitute

**HB 7169 by Juvenile Justice Committee, Culp** (Compare HB 335)

**Juvenile Justice Pilot Program;** Creates a pilot program that authorizes specified courts to select commitment programs for juvenile delinquents; provides definitions; provides program's purpose; requires the Department of Juvenile Justice to develop implementation procedures and to publish specified information about commitment programs on its website; provides procedures for the selection of commitment programs by courts; requires evaluation and reports by the Office of Program Policy and Government Accountability; specifies department and court responsibilities relating to the reports; provides for future repeal. Effective Date: July 1, 2006.

Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable

**HB 7171 CS by Choice & Innovation Committee, Legg, Arza, Cannon, Sansom, Stargel** (Similar HB 135, Compare CS/CS/CS/SB 1030, SB 2596)

**Charter Schools;** Establishes the Florida Schools of Excellence Commission as a charter school authorizing entity; provides powers and duties of the commission, including serving as a sponsor of charter schools, approving certain entities to act as cosponsors, approving or denying applications for Florida Schools of Excellence (FSE) charter schools, and developing standards for and evaluating the performance of cosponsors and charter schools; requires collaboration with municipalities, state universities, community colleges, and regional educational consortia as

cosponsors for FSE charter schools; provides causes for revocation of approval of a cosponsor; provides for FSE charter school application and review procedures; authorizes existing charter schools to apply as FSE charter schools; provides for application of specified provisions of law; provides that the sponsor of a charter school shall not be liable for civil damages for certain actions; provides that the duty to monitor a charter school shall not be the basis for a private cause of action; prescribes limits on immunities of a charter school sponsor; provides requirements with respect to the right to appeal the denial of a charter school application; expands a school district's immunity from assumption of contractual debts; provides appropriations and authorizes positions. Effective Date: July 1, 2006.

Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable With Committee Substitute

**HB 7203 CS by Health Care Regulation Committee, Garcia, Sobel** (Similar HB 783 CS, CS/SB 382, Compare CS/CS/SB 1324)

**Wellness Programs;** Requires the Department of Health to collaborate with other state agencies in developing policies and strategies to prevent and treat obesity which shall be incorporated into agency programs; requires the department to advise health care practitioners regarding morbidity, mortality, and costs associated with the condition of being overweight or obese and to inform them about clinical best practices for obesity prevention and treatment and encourage them to counsel their patients regarding the adoption of healthy lifestyles; defines the term "aged-based and gender-based benefits" for purposes of the state group insurance program; creates the Florida State Employee Wellness Council within the Department of Management Services; provides for membership; provides for reimbursement of per diem and travel expenses; provides purpose and duties of the council. Effective Date: July 1, 2006.

PreK-12 Committee: Favorable With Committee Substitute; Health Care Appropriations Committee: Favorable With Committee Substitute; Health & Families Council: Favorable With Committee Substitute

**HB 7207 by Agriculture & Environment Appropriations Committee, Mayfield** (Compare SB 2484)

**Water Management Districts;** Provides that a water management district's millage rate is subject to annual authorization by the Legislature; requires the Legislature to annually review a district's millage rate; requires the Legislature to annually set the amount of revenue authorized to be raised by a district from ad valorem taxes; provides for the amount of authorized revenue to be raised by a district if the Legislature does not set the amount by a specified date; revises the beginning and ending dates of a districts' fiscal year; revises the date by which a district must submit a tentative budget to the Governor and the Legislature; eliminates the authorization for the Legislature to comment on such budgets; eliminates the requirement for districts to respond to such comments and to forward such responses to the Governor and Legislature; revises the date by which the Executive Office of the Governor must file a specified report with the Legislature; directs districts to implement conforming measures. Effective Date: July 1, 2007.

State Resources Council: Favorable; Fiscal Council: Favorable

**HB 7223 CS by Governmental Operations Committee, Rivera** (Identical SB 512)

**Review under the Open Government Sunset Review Act regarding Medical Records and Health Records;** Removes the October 2, 2006, repeal scheduled under the Open Government Sunset Review Act for an exemption from public records requirements for personal identifying information, bank account numbers, and debit, charge, and credit card numbers contained in certain records held by the Department of Health which relate to an individual's personal health or eligibility for health services; removes the exemption for bank account numbers and debit, charge, and credit card numbers contained in such records. Effective Date: October 1, 2006.

State Administration Council: Favorable With Committee Substitute

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